

BASIN

41E

INTERBASIN

TRANSFERS

BASIN 41E

INTERBASIN TRANSFER OR POTENTIAL INTERBASIN GROUNDWATER AFFECT

Claim #	POD-Basin	POU-Basin	S/G	Owner(s) Name and Address
003406	41E	41G & 41E	G	Hukaba, Susanne L.
003407	41E	41G & 41E	S	Felsheim, Jessie S.
003408	41E	41G & 41E	S	Box 8 Cardwell, MT 59721
004096	41G	41G & 41E	G	Felsheim, Jessie P. O. Box 8 Cardwell, MT 59721
007461	41E	76G	S	Schurch, Beverly
007462	41E	76G	S	621 Burnt Hollow Road Deer Lodge, MT 59722
091734	41E	76G	S	Schiele, Henry J. Schiele, Gloria J. 382 Burnt Hollow Road Deer Lodge, MT 59722
092037	41E	76G	S	Conrad Warren RFD 1 N Deer Lodge, MT 59722
093938	41E	41E & 41G	S	Dawson, George Ranch Dawson, George W. RR Boulder, MT 59632
093968	41E	76G	S	Muller, Gerald
093969	41E	76G	S	780 NE Hamilton Hts. Rd. Corvallis, MT 59828
				Free, Harriet M. and Wm. A. Box 509 Deer Lodge, MT 59722
143432	41E	41E & 41G	S	Candlestick Ranch Co.
143434	41E	41E & 41G	S	Cardwell, MT 59721
143436	41E	41E & 41G	S	Same
143437	41E	41E & 41G	S	Same

BASIN

41E

**ACCEPTABLE LAKE AND
RESERVOIR NAMES**

BASIN NUMBER 41E

Lowland Creek
Lowland Creek

BASIN

4/E

NOTICE OF ENTRY OF

Temporary

PRELIMINARY DECREE AND

NOTICE OF AVAILABILITY

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
BOULDER RIVER BASIN, TRIBUTARY OF THE JEFFERSON RIVER (41E)

NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND
NOTICE OF AVAILABILITY

Since you have filed a claim for a water right existing before July 1, 1973, we are sending with this Notice your abstract of your claim entered on the Boulder River Basin, Tributary of the Jefferson River. HOWEVER, IF YOU RECEIVED A CERTIFICATE OR APPLIED FOR A "WATER USE PERMIT TO APPROPRIATE" OR RESERVE WATER UNDER THE 1973 WATER USE ACT DO NOT EXPECT TO RECEIVE AN ABSTRACT OF THAT DOCUMENT. This Notice is being sent to others as required in 85-2-232 MCA. The only reason we sent you this Notice is that the law requires us to. We repeat, do not expect to receive an abstract of your claim.

WHAT IS A TEMPORARY PRELIMINARY DECREE

A Temporary Preliminary Decree decides the water rights in the Boulder River Basin, Tributary of the Jefferson River, and lists those water rights.

If you don't agree with what it decides as to your right or any other water right which may affect your water right claims, you may file an objection, request a hearing and the Water Courts will hear it. See the general Findings of Fact and Conclusions of Law for further explanation of your right.

A water right in the Temporary Preliminary Decree remains unchanged and will be so entered in the Final Decree if it is not objected to during the objection period. However, if determinations of Indian and Federal reserved water rights present circumstances affecting that water right, additional objections may be filed.

IF A RIGHT IS NOT OBJECTED TO, IT SHALL REMAIN UNCHANGED AND BE ENTERED IN THE FINAL DECREE.

HOW YOU FILE AN OBJECTION AND REQUEST A HEARING

An objection must be filed on the forms provided by the Water Courts. The offices where these forms can be found are listed on page 2 of this Notice.

All objections must be filed and received by the 17th day of September, 1985. Objections must be sent to the Montana State Water Courts, P.O. Box 879, Bozeman, MT 59715.

CAN YOU GET AN EXTENSION?

Extension for filing objections may be granted by the Water Judge. Requests must be received by the Water Courts on or before the 17th day of September, 1985. Use the form furnished by the Water Courts.

If an extension is granted, it applies to all within this Basin. A copy of the extension may be seen at the Clerk of Court offices listed below and it will be advertised in local newspapers.

WHERE YOU CAN SEE OR GET THE TEMPORARY DECREE (AND
FINDINGS OF FACT AND CONCLUSIONS OF LAW) FOR THE BOULDER
RIVER BASIN, TRIBUTARY OF THE JEFFERSON RIVER (41E)

(Over Please)

See it at:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources Field Office, 28 South Rodney, Helena, MT 59601.
4. Clerk of Court, Jefferson County, Boulder, MT 59632.

Microfilm of the original water right claims and the abstracts as reviewed by DNRC at:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources, Field Office, 28 S. Rodney Helena, MT 59601.
4. Clerk of Court, Jefferson County, Boulder, MT 59632.

You can buy a copy of the Temporary Preliminary Decree at the Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620. The cost is \$ 25.00.

Any questions? Use our toll free number 1-800-624-3270. Our regular office number is 406-586-4364. It is not toll free.

AFTER OBJECTIONS ARE FILED

After the time for filing objections has passed, the Water Courts will notify each party named in the Decree that hearings have been requested and set a date for all interested parties to notify the Water Courts of their intent to participate in any of those hearings.

THE WATER COURT RULES, OBJECTION AND EXTENSION FORMS CAN BE FOUND AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Clerk of Court, Jefferson County, Boulder, MT 59632

DATED this 20th day of June, 1985.


W. W. LESSLEY
Chief Water Judge

BASIN

4/E

**ORDER AND
WATER MASTER
REPORT**

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER (41E)

IN THE MATTER OF THE ADJUDICATION
OF THE EXISTING RIGHTS TO THE USE
OF ALL THE WATER, BOTH SURFACE AND
UNDERGROUND WITHIN THE BOULDER RIVER,
TRIBUTARY OF THE JEFFERSON RIVER,
DRAINAGE AREA, INCLUDING ALL TRIB-
UTARIES OF THE BOULDER RIVER,
TRIBUTARY OF THE JEFFERSON RIVER
IN JEFFERSON COUNTY, MONTANA.

) STATE OF MONTANA
) Water Courts

) I hereby certify that the instrument to
) which the certificate is affixed is a true,
) correct and compared copy of the original
) on file in the office of the Clerk of the
) Water Courts.

) Witness my hand and the seal of the
) Water Courts of the State of Montana this
) 18 day of June 19 86

Carol Moore
Clerk of the Water Courts

ORDER

Having reviewed the Water Master's Report of existing rights
in the Boulder River, Tributary of the Jefferson River, the
Court finds that the Report meets the requirements for the
Temporary Preliminary Decree set forth in 85-2-231(1) MCA. The
Court, now being satisfied with the Findings of Fact and
Conclusions of Law contained in the Report,

ORDER, that the Water Master's Report and the abstracts of
the individual water rights in the Boulder River, Tributary of
the Jefferson River be adopted as the Temporary Preliminary
Decree of that Basin pursuant to Section 85-2-231 MCA.

DATED this 17 day of June, 1985.

W.W. Lessley
W.W. LESSLEY,
Chief Water Judge
Montana State Water Courts

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER (41E)

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND WITHIN THE BOULDER RIVER,)
TRIBUTARY OF THE JEFFERSON RIVER,)
DRAINAGE AREA, INCLUDING ALL TRIB-)
UTARIES OF THE BOULDER RIVER,)
TRIBUTARY OF THE JEFFERSON RIVER)
IN JEFFERSON COUNTY, MONTANA.)

REPORT OF THE WATER MASTER ON THE
BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER

This Report is submitted to the Honorable W. W. Lessley,
Chief Water Judge, by Marjorie Black, Water Master for the
Boulder River, Tributary of the Jefferson River.

FINDINGS OF FACT

1. Authority to Act

This Decree is issued by a Water Judge as authorized by
Chapter 97, Session Laws 1979 (85-2-201 MCA) as amended.

2. Description of Basin

The Boulder River Basin, Tributary of the Jefferson River,
lies in Jefferson County. Named after President Thomas
Jefferson, this county embraces 1,651 square miles ranking it
43rd in Montana. Geographically, Jefferson County occupies the
west central region in Montana. With its western boundary
following the Continental Divide for almost 60 miles enhanced by
several mountain ranges running eastward from the Divide,
Jefferson County may be considered one of Montana's most

mountainous counties. The Elk Horn Mountains border the northern and eastern county lines. The southern boundary runs along the Jefferson River. The Boulder River, one of the principle agricultural valleys in the county, rises near Elk Park, runs northeastward to Basin, eastward to Boulder then south-southeastward to its confluence with the Jefferson River near Cardwell.

Climatological records reveal the wettest months are May and June, with a total average rainfall of 4.14 and 4.00 inches. A secondary precipitation maximum occurs each September with normal totals ranging from 1.25 to 1.50 inches.

The major drainage system for Jefferson County is the Jefferson River with the remaining streams flowing into the Missouri River. Geologic materials consist of granites, rhyolites, basalt, argillites, quartzites and limestone. Silt-loam to sandy-loam textures predominate with some clay-loam soils in the stream valleys.

Jefferson County has a total land area of 1,056,640 acres. Agriculture is the principle industry emphasizing cattle raising and dry land wheat production. There are approximately 394,853 acres in farms, with the average size farm unit containing 1,441 acres. In 1955, Jefferson County had an assessed irrigated acreage of 23,656, most of which is irrigated from the Jefferson River in the southern portion and from the Boulder River and its tributaries in the central part. Irrigation along the narrow Boulder River bottom lands is confined almost exclusively to the production of alfalfa and wild hay. Winter wheat is the

principle crop grown on the rolling bench lands. The remaining farm lands are used for livestock grazing.

Lands of the Deerlodge National Forest drain via the Boulder River, Whitetail Creek and Pipestone Creek, into the Jefferson River. Annual precipitation varies from 11 inches on Whitetail Creek to approximately 35 inches on the Continental Divide at the headwaters of the Boulder River. Runoff is heaviest the last of May or first of June due to increased snow melt. Water from the National Forest land in Jefferson County is primarily used for ranch irrigation. Practically all the water from the Boulder River, Whitetail Creek and Pipestone Creek is used for irrigation during the last of June and the first of July.

A total of 1202 water claims have been filed in the Boulder River Basin, Tributary of the Jefferson River. The boundaries of this basin are outlined on the attached map.

3. Water Right Owner

Generally, the Court issues a water right to the appropriator, who is usually the claimant. If there is evidence that a change of ownership has occurred, the Court issues the right in the name of the new owner. If a change has occurred and the Court was not informed, the correct name can be added at a later date.

A water right transfer certificate is "constructive notice of the content thereof" and failure to file a transfer does not affect the actual transfer of water. 85-2-423 et. seq MCA. When a transfer certificate is received by the Water Courts after a Preliminary Decree has been issued, the original owners

name is retained. A remark is added listing the new owner's name as provided by the transfer certificate.

Some water rights are claimed by more than one person on separate claim forms. When both claimants insist on ownership, each is decreed the right but a remark is added to each decree noting the conflict.

4. Pre-1973 Water Rights

The general adjudication of water rights is to cover rights existing before 1973.

An existing water right includes those rights which would be protected under the law as it existed prior to July 1, 1973, pursuant to 85-2-102(7) MCA.

5. Specifics of Procedure

The Court outlined and supervised the procedure of processing the claims to existing rights. A claim is examined for incomplete or inaccurate information. It is then reviewed for actual and beneficial use. The Court ordered the Department of Natural Resources and Conservation to assist in the processing of the claims.

The extent of each individual water right claim is further defined by these Findings of Fact and Conclusions of Law. Where a claimant filed two or more water rights on the same claim form, each right was separated and assigned an individual water right number. If the claim did not include all the information required by 85-2-224 MCA and the information was not available,

the right was decreed within the limits of the information submitted.

The specifics of each individual claim is defined by an abstract of the water right. Each individual abstract of the claimed right includes (where possible):

- (a) The name and post office address of the owner of the right;
- (b) The amount of water, rate and volume included in the right;
- (c) The date of priority of the right;
- (d) The purpose for which the water included in the right is used;
- (e) The place of use and a description of the land, if any to which the right is appurtenant;
- (f) The source of water included in the right;
- (g) The place and means of diversion;
- (h) The inclusive dates during which the water is used each year;
- (i) Any other information necessary to fully define the nature and extent of the right.

6. Multiple Uses of a Water Right

Usually, a water right is decreed and the uses of the right are noted. In this general adjudication, the claimants filed separate claims for each use of the water right. Special claim forms were used for irrigation, stockwatering, domestic use and a catch-all form for all other uses. As a result of this unique filing, each use of a water right will be decreed separately. Therefore, a water right might be represented by two or more decreed uses.

A remark notation of the multiple use of a water right appears in the following instances:

1. Whenever an irrigation and an "Other Use" are for the same water right.

2. Whenever a water right has two or more "Other Uses."

In all cases where any multiple use of a right occurs, the combined flow rate and volume cannot exceed the original appropriation. The use of the right for several purposes does not increase the extent of the right, rather it decrees the right to alternate and interchange the use (purpose) of the water in accord with historic practices.

7. Source Name

Although some sources of surface water in the Boulder River Basin, Tributary of the Jefferson River, were claimed under several names, the source is generally designated in the Decree by the name listed in the United States Geological Survey. If the source has not been designated by the U.S.G.S., the source name of most common recognition in the locality has been used.

Commonly recognized reservoir and lake names will appear as source names. Those lakes and reservoirs that have no commonly recognized name are generally decreed under the name of the outflowing stream. The source name index of the Temporary Preliminary Decree cross-indexes any such source names for easy access.

When more than one source is claimed for a water right, the Court determines the major source and lists that source in the Decree. If more than one source is determined to be major, a separate claim is made for the claimant.

8. Priority Date

The priority date claimed is recognized as prima facie and so decreed except where it is incomplete; or it would result in a clearly erroneous interpretation of the law; or the claim's supporting documentation contradicts the claimed priority date.

Priority dates were decreed in accord with the following:

Where a claimed priority date included only a year, or a year and a month, the last day of the year and the last day of the month are decreed as the priority date.

Priority dates for groundwater rights after 1961 are reviewed for compliance with the Groundwater Act. Priority dates are not changed if it appeared that the wrong form had been used.

If a claim to groundwater after 1961 is based on use, the priority date is decreed as the date of filing the claim to the existing right.

9. Irrigation

Irrigation is a beneficial use of water.

Flow Rates. In this general adjudication under Chapter 697, Session Laws 1979, flow rates are decreed in gallons per minute (gpm) or in cubic feet per second (cfs) instead of the traditional miner's inches. Eleven gpm is equivalent to one miner's inch; forty miner's inches is equivalent to one cubic foot per second.

THE FLOW RATES OF ALL PREVIOUSLY DECREED WATER RIGHTS ARE UNCHANGED AND ISSUED IN ACCORD WITH THE FLOW RATE DECREED IN THE ORIGINAL ADJUDICATION.

WHEN DIFFERENT CLAIMANTS CLAIMED WATER RIGHTS BASED ON DECREES AND THE TOTAL FLOW RATE CLAIMED BETWEEN THE CLAIMANTS EXCEEDED THE AMOUNT ON THE DOCUMENT, A REMARK IS ENTERED ON EACH DECREE NOTING THOSE DECREED USES OF THE EARLIER DECREED RIGHT.

Flow rates based on a "filed notice of appropriation" or "use" right shall not exceed a reasonable application rate. A reasonable application rate for flood, sprinkling and pump systems which is in keeping with the general requirement of most users in the Basin shall not exceed 17 gpm per acre (1.5 miner's inches). The Court has decreed all claimed flow rates of 17 gpm per acre or less on such systems. HOWEVER, IF THE SUBMITTED DOCUMENTATION CLEARLY DOCUMENTS A LARGER CLAIMED FLOW RATE, IT WAS SO DECREED.

Water spreading, subirrigation and natural overflow and other irrigation systems not subject to quantification do not generally have a constant or consistent flow rate. The extent of the right is limited by the decreed volume. While the water rights for subirrigation and natural overflow are decreed, the owner of the right does not have a right to demand continued right of the water by these means of diversion.

Volume. Volume is decreed in acre-feet beneficially used in one year. An acre-foot of water will cover one acre to a depth of one foot. Net crop consumption requirements are considered to be the total amount of irrigation water a crop will use during an average growing season. Water usage is dependent on the overall efficiency of the irrigation system. General maximum requirements of differing systems are outlined in the

following table:

Climatic Area	Flood Systems (diversion ditch) Volumes (AF/A)	Sprinkler & Pumped Diversion Systems Volumes (AF/A)	Water Spreading Systems, Sub-irrigation and Natural Overflow Volumes (AF/A)
I	11.4	4.5	2.3
II	10.2	4.0	2.0
III	9.2	3.8	1.9
IV	8.5	3.4	1.7
V	7.2	2.9	1.4

Volumes are measured at the point of diversion
Period of Use. Because the period of use can vary widely for each individual user, the period of use is accepted as claimed unless the claimed period of use contradicts a previously decreed or documented period of use.

If a period of use was not designated by the claimant, a period of use for irrigation claims was assigned in accord with a reasonable irrigation season for the climatic area. Those seasons are as follows:

Climatic Area	Period of Use
I	3-15 to 11-15
II	4-01 to 10-30
III	4-15 to 10-15
IV	4-20 to 10-10
V	4-25 to 10-05

Place of Use.

A. Verification of Place of Use. Irrigation rights are decreed to a defined place of use. In delineating the place of use, the claim is verified by the use of aerial photographs, field investigation and data submitted by the Department of Natural Resources and Conservation and the claimant. The place

of use for irrigation is accepted as claimed except when the land did not appear irrigated or irrigable.

The place of use is designated by legal land description and can be further defined by reference to the maps and referenced aerial photographs included in the Court records.

B. Supplemental Water Rights and Place of Use. In many cases, several water rights with differing priority dates or different sources are combined to supplement the irrigation requirements of all or part of the same acreage. Supplemental rights means the rights have overlapping places of use. The rights can be combined to irrigate only overlapping parcels of the claimant's total acres. The combined volume of these rights shall not exceed the given acre-feet per year. Each right is limited to the flow rate, volume and place of use.

Place and Means of Diversion. The place and means of diversion are designated. The place of diversion is specifically designated by legal land description.

Secondary points of diversion are noted when possible; however, the claim and claimant's map in many cases will more specifically define the point of diversion.

When a point of diversion is found on a source other than the one claimed, the other source points of diversion are decreed when that source is determined to be an incidental part of the original source. A remark will appear with the other source points of diversion that identifies the incidental source. If the other source is not considered incidental, a separate claim is created.

THIS INFORMATION IN THIS FINDING IS ONLY A GUIDELINE AND IS SO USED. THEY CAN AND WILL BE MODIFIED TO SHOW THE WATER CLAIMANT'S OWN CIRCUMSTANCES. THIS CAN BE DONE ON CLAIMANT'S OBJECTIONS OR WATER COURT'S OWN MOTION.

10. Irrigation Districts

Some irrigation districts used their water rights on designated places of use and the right has become appurtenant to the land. In those cases, the claim was verified and decreed in accord with the criteria used for all other irrigation claims.

Where the irrigation district engaged in the sale of water or the place of use changed on a continuing basis, the claimed flow rate and volume were decreed as claimed without an attempt to verify usage.

The several rights on one claim form are identified as being supplemental. Water rights from separate sources that water the same land are identified as being supplemental.

11. Domestic Use

Flow Rate. The average flow rate from a groundwater source in the State of Montana is approximately 25 gallons per minute. However, a flow rate of 40 gallons per minute is acceptable. As a result, those domestic rights with a claimed flow rate of 40 gallons per minute or less are so decreed. Where the claimed flow rate and the accompanying documentation does not substantiate a flow rate, the right is decreed a flow rate of 25 gallons per minute. When a flow rate claimed had been.

previously decreed, the flow rate is not changed.

Volume. A reasonable volume of water for domestic use is calculated at 1.0 acre-feet per household with an additional .5 acre-foot for each quarter acre of yard.

Flow rates and volumes are measured at the point of diversion.

Place of Use. Land irrigated as part of the domestic use is decreed as part of the place of use. If a claim for domestic use included irrigation separate from the domestic use, the irrigated land was decreed separately.

Period of Use. The period of use claimed is the period of use decreed.

12. Stockwater

Volume. Stockwater is a beneficial use of water. The limit of the right is based on a consumptive use of 30 gallons per day per animal unit. An animal unit is described as a cow/calf pair or equivalent. The number of animal units is in most instances limited to the reasonable carrying capacity of the area historically serviced by the water source. In those cases when historically the source is utilized more intensively, for instance in the case of a confined stockyard, the right increases based on the number of animal units. Finally, where the stockwater is impounded in a reservoir, a right to reasonable carryover for use in future years is acknowledged.

Flow Rate. The flow rates for groundwater developments for stockwatering purposes were governed by the same principles on

domestic groundwater sources. Those rights involving stock drinking directly from instream surface water sources do not reflect a specific flow rate. The instream flow rate shall be reasonable and shall not exceed the extent of the right as historically utilized.

Place of Use. Where stock drink directly from the surface water source, the point of diversion and place of use seek to show all land adjacent to the source.

13. Reservoirs and Storage of Water

A storage right can exist for water that would otherwise go to waste. This right is dependent upon the lack of interference with other rights.

The right to appropriate water by storage in a reservoir is a right separate from a water right. Actual beneficial use of stored water creates a water right. The Court decrees the limits of that right.

14. Other Uses

In the Boulder River Basin, Tributary of the Jefferson River, water claims were submitted for the following uses: commercial, industrial, municipal, recreational, fire protection, fish raceways, fish and wildlife, geothermal, mining and power generation (both consumptive and non-consumptive).

The Court finds that no individual nor Department filed any valid instream claims for fish, wildlife and recreational instream uses.

"Murphy Rights." Section 1 of Chapter 345 of the 1969 Session Laws provided for the appropriation of water in designated streams to maintain fish and wildlife habitat. The Court subjects these rights to all prior existing rights pursuant to 89-801 RCM 1947. The flow rate and volume of these rights are subject to change should the Court determine the waters are needed for a use determined to be more beneficial to the public.

Flow Rates. Flow rates are decreed as claimed unless the documentation accompanying the claim supported a different amount. The Court could not, however, determine a flow rate for the minimal amount necessary to sustain fishing, wildlife, recreation and navigation. Flow rates for mining, power generation and fish raceways are accepted when it is determined that the amount claimed is less than the average annual stream flow. Rates in excess of the average annual stream flow are reduced to that average rate.

Volumes. Volumes are decreed as claimed unless the documentation accompanying the claim support a different amount.

Commercial and industrial use are limited to a volume based on a twelve hour day unless documentation supports a higher volume based on an extended period of use.

Agricultural spraying was limited to a reasonable volume of five acre-feet unless documentation supported a higher volume.

Incidental Use. Many purposes, especially fish, wildlife and recreation, are incidental to another beneficial use of water. The extent of the water right for an incidental use is

no more than the extent of the primary use of the water.

Non-Consumptive Use. The Court recognizes that several uses do not consume water. A remark is added to these uses declaring the use to be non-consumptive.

15. Standards

The standards used by the Water Court to aid it in calculating flow rate, volume and other elements of a water right are merely yardsticks to serve as a means to what should or should not be.

THEY ARE NOT ABSOLUTE; THEY ARE NOT UNCHANGEABLE. THEY ARE SUBJECT TO MODIFICATION TO REFLECT AN INDIVIDUAL CLAIMANT'S WATER RIGHT IN ITS TRUE AND CORRECT SENSE.

16. Claimed Federal Reserved Water Rights

The determination of water rights in the Boulder River Basin, Tributary of the Jefferson River shall be subject to the contents of any future compact negotiated by the Montana Reserved Water Rights Compact Commission and the United States of America which will determine reserved water rights of the United States Forest Service. Should no compact be approved in accordance with Title 85, Part 2, Chapter 7, Montana Code Annotated (1983) or applicable law, this Preliminary Decree is subject to the determination, in accordance with State procedure, of water rights claims of the United States of America on behalf of the United States Forest Service. The general adjudication of water rights is to cover rights to the

use of water which would be protected under the law as it existed prior to July 1, 1973, subject to the livestock and domestic uses exempted in 85-2-222 Montana Code Annotated (1983).

17. Terminated Claim

The Water Court takes judicial notice of water claims that have been terminated during this adjudication process.

Instances are:

1. A claim filed with the adjudication Field Office and withdrawn and terminated by the claimant because of self-confessed errors and filed anew.
2. Claims filed and then withdrawn at claimant's request.
3. Claims that appear in the abstracts of water rights as part of the Temporary Preliminary Decree because they were assigned a "number" by the Helena, Montana office, and later returned to the forwarding Field Office; and these claims have a remark on the abstract of their termination for one reason or another from claimant. These claims are "alphabetized" and stored in the archives of the Department of Natural Resources and Conservation by Field Offices.

The claims are printed in both decrees. The "0" prefix will tell the computer to print a statement saying, "The Court finds no right for this claim, as it has been withdrawn at the request of the claimant."

4. Claims terminated by the Field Offices and the DNRC before an Order of this Court of April 22, 1982, ordering that

these claims were not to be terminated but stamped at the time of filing and processed as all other claims, even though there was a failure of payment of fees. All claims terminated because of lack of payment will be considered specially by this Court at the time of Temporary Preliminary Decree hearings.

18. Supreme Court

That there is pending in the Supreme Court of the State of Montana, Case #83281, entitled Department of State Lands vs. Walter Pettibone and Others; that an opinion has not been issued in that case.

Based on the Findings of Fact, the Water Master makes the following:

CONCLUSIONS OF LAW

1.

This Report meets the requirements for a Temporary Preliminary Decree as required by 85-2-231 MCA 1979.

2.

For each person who claims an existing water right in this Basin, there is attached to this Temporary Preliminary Decree a statement defining the nature and extent of his claimed right, as found by the Water Court and as requested by 85-2-231 MCA and 85-2-234 MCA; these Conclusions make all these attached statements a part of this Report.

3.

All notices, all substantive and procedural requirements of court adjudication of water claims and requirements for hearing and decision have been fulfilled.

4.

The water adjudicated in this cause is a water use that is of a beneficial use and is the property of the State of Montana and for the use of these named water claimants, subject to their appropriative rights as specified in this Report.

5.

All Findings are merged with these Conclusions of Law to give them the force of law in this Report.

6.

Should the reserved water rights claims of the United States of America on behalf of the United States Forest Service be determined by a compact approved in accordance with Title 85, Part 2, Chapter 7, Montana Code Annotated (1983), or approved in accordance with applicable law, objections to the Preliminary Decree may be made by the United States of America, the Department of Natural Resources and Conservation, a person named in this Decree, or any other person for good cause shown.

Should no compact be approved, the claim of the United States of America on behalf of the United States Forest Service will be determined by this Court in accordance with State procedure.

No Final Decree will be issued on the Boulder River Basin, Tributary of the Jefferson River, until each person who has filed a claim of existing right and the United States of America on behalf of the United States Forest Service has been notified of the determination of all water right claims in the Basin, including the reserved water rights of the United States Forest

Service, and any proper objections to those determinations have been heard.

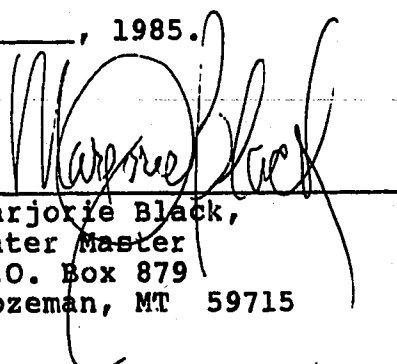
7.

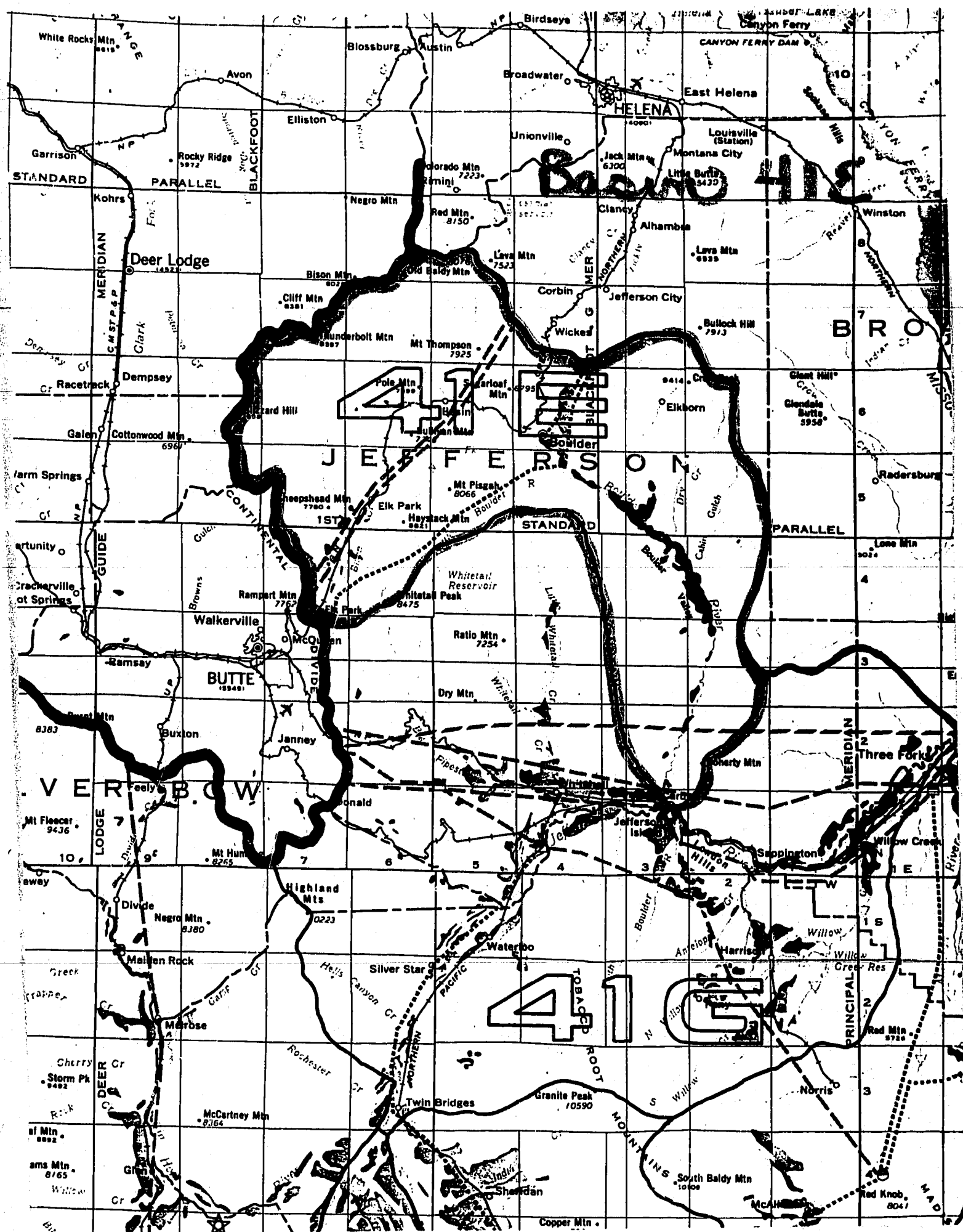
This Report is a Temporary Preliminary Decree as authorized by 85-2-231 MCA and will be finalized by the Water Court at the appropriate time.

8.

All Decrees, both Preliminary and Final, shall be amended to conform to the final decision in Case #83281, entitled Department of State Lands vs. Walter Pettibone and Others.

DATED this 14th day of June, 1985.


Marjorie Black,
Water Master
P.O. Box 879
Bozeman, MT 59715



IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER (41E)

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND WITHIN THE BOULDER RIVER,)
TRIBUTARY OF THE JEFFERSON RIVER)
DRAINAGE AREA, INCLUDING ALL TRIB-)
UTARIES OF THE BOULDER RIVER,)
TRIBUTARY OF THE JEFFERSON RIVER)
IN JEFFERSON COUNTY, MONTANA.)

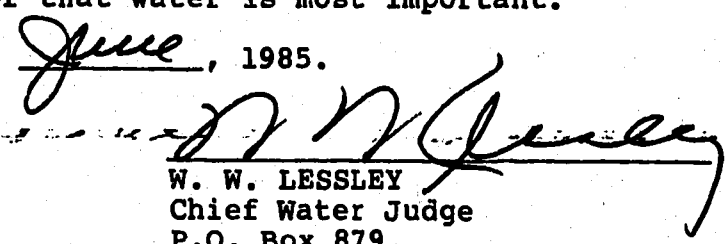
MEMORANDUM

Early in our State's history (March 12, 1885) we were concerned about measurement of Montana water.

85-5-302 MCA, whose genesis was a statute of 1905, is still our guiding law. It states ". . . shall be required to have suitable headgates at the point wherein a ditch taps a stream and shall also, at some suitable place on the ditch and as near the head thereof as practicable, place and maintain a proper measuring box, weir or other appliance for the measurement of water flowing in such ditch."

Now, as we move into the present and future of water and its management, measurement of that water is most important.

DATED this 17 day of June, 1985.


W. W. LESSLEY
Chief Water Judge
P.O. Box 879
Bozeman, MT 59715

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER (41E)

IN THE MATTER OF THE ADJUDICATION)
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TRIBUTARY OF THE JEFFERSON RIVER)
IN JEFFERSON COUNTY, MONTANA.)

MEMORANDUM

The command of the Legislature was to "expedite" and facilitate the adjudication of the water rights of Montana.

To assure a speedy, simple and effective program for adjudication of Montana water, there was created a specific statewide program, operated by a newly created Water Courts system, all under the supervision of the Montana Supreme Court.

The Act creating the adjudication program and its Water Courts became law May 11, 1979; immediately on June 8, 1979, the Supreme Court promulgated its rules and prescribed forms and set in motion a statewide filing of water right claims.

Meanwhile, between May 11, 1979 and June 12, 1979, Water Judges were elected. Present Water Judges are Bernard W. Thomas, Robert M. Holter and Roy C. Rodeghiero. Early in June, 1979, these Water Judges met and began supervising (under Supreme Court direction) the preparing, filing and collecting of more than 200,000 water claims in the State of Montana. These Judges met and elected Judge W. W. Lessley to act as a Chief

Water Judge to give direction and unity to their work. (In 1981 a statute amending the original Adjudication Act was passed and Lessley was appointed Chief Water Judge by Chief Justice Haswell of the Supreme Court.)

On April 30, 1982, all water claims were in under the direction of the Water Courts and clarification by field personnel began.

In early November, 1980, the first Water Master was appointed and adjudication began in two large basins of the Powder River. 10,302 water claims were adjudicated, 316 objections were filed; hearings held on 146 cases. A final decree on both basins was filed April 14, 1983, and only one appeal from all that adjudication has been filed in the Supreme Court.

Meanwhile in June, 1983, the Water Courts had the 200,000 claims computerized and in a single master computer located in Helena. The Courts are now supervising the final verification of all claims for the final computer run for all preliminary decrees.

The organization and staff of the Water Courts has grown. As directed by the Legislature, it has three Water Judges, a Chief Water Judge, five Water Masters and four office employees skilled in office skills, word processing, docket-base computer work and in Water Courts procedures and forms.

The Water Courts have established their own Rules of Court, specialized forms for objections, pre-pre trial and pre-trial

Procedure for water case hearings and trials; all objections are heard promptly and accurate recording machines prepare Court records and transcripts of all hearings.

As of now, final decrees have been issued in three Basins.

The Water Courts in 1985 will adjudicate at least sixteen Basins; there is a real possibility to adjudicate 20 Basins.

Specifically, 50,357 individual water claims have been clarified, verified and adjudicated by preliminary decrees as of January, 1985, with final decrees ahead.

This comprehensive Water Court program has been challenged in Federal Courts. The words of the District Federal Judges who first heard the challenge are significant. The key phrase of the evaluation of Montana's program by Chief District Judge Battin and District Judge Hatfield is: "It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient." Federal Judges Battin and Hatfield spell out the specifics of the working of the Montana Water Courts in this clear and practical language:

"By enactment of the last legislature of the State of Montana, Senate Bill 76, as yet uncoded, has provided the vehicle for adjudicating claims of existing water rights in Montana. The provisions of that Bill bear heavily upon this Court's decision to dismiss these cases on the basis of wise judicial administration.

In essence the Bill provides for adjudication of all existing water rights in the State of Montana. Section 6 of the Bill provides that:

- 1) The action for the adjudication of all existing water rights under [this act] is commenced with the issuing of the order by the Montana Supreme Court to file a statement of a claim of an existing water right as provided in [section 16].
- (2) The water judge for each division shall exercise jurisdiction over all matters concerning the determination and interpretation of existing water rights within his division.

....

- (4) All matters concerning the determination and interpretation of existing water rights shall be brought before or immediately transferred to the water judge in the proper water division unless witnesses have been sworn and testimony has been taken by a district court prior to the date of the Montana Supreme Court order as provided in [section 16].

Section 16 of the Bill provides that:

- (1) The Montana Supreme Court shall within 10 days of the filing of the petition by the attorney general issue an order to file a statement of a claim of an existing water right in substantially the following form:

"WATER RIGHTS ORDER

FAILURE TO FILE A CLAIM AS REQUIRED BY LAW WILL RESULT IN A CONCLUSIVE PRESUMPTION THAT THE WATER RIGHT OR CLAIMED WATER RIGHT HAS BEEN ABANDONED.

... This order is notice of commencement of procedures for the general adjudication of existing rights to the use of water and of the requirement to file a claim for certain existing rights to the use of water. Every person, including but not limited to an individual, partnership, association, public or private corporation, city or other municipality, county, state agency of the State of Montana, and federal agency of the United States of America on its own behalf or as trustee for any Indian or Indian tribe, asserting a claim to an existing right to the use of water arising prior to July 1, 1973, is ordered to file a statement of claim to that right with the department no later than June 30, 1983. .

- [3] The above-cited sections reflect both the policy and the essential mechanism for adjudication of state water rights. Adjudication by adversary proceeding initiated by one claimant against all others in his drainage has been for-

saken in favor of blanket adjudication of all claims, including federal and federal trust claims, in a systematic manner. The procedure outlined in the Bill is that of: (1) filing of an order by the Supreme Court requiring the filing by all claimants of statements of each claim; (2) upon filing of all claims, submission of the claims to the water judge in the division or district in which the claimed water is diverted; (3) through utilization of special masters, the rendering, by the water judge, on the basis of the filed claims, of a preliminary decree of water right; (4) after passage of time without objection to the preliminary decree, entry of a final decree of water right which is binding upon all parties; (5) if objection is timely taken by the claimant to the preliminary decree, judicial determination of the right, but without the necessity of joining all users in the claimant's drainage.

And the Court concludes:

As the general adjudication has been initiated by recent order of the Montana Supreme Court, it would seem that the greater wisdom lies in following Colorado River, and on the basis of wise judicial administration, deferring to the comprehensive state proceedings. The federal proceedings are all in their infancy; service of process has been but recently completed. The state adjudication is thorough, as opposed to the piecemeal proceedings initiated by the Government. There is no jurisdictional question preliminarily attending the state adjudication; all such questions have been eliminated by the McCarran Amendment. The state forum will likely be more convenient, geographically, than the federal forum.

The original hearing before the 9th Circuit carried the minority opinion of Circuit Judge Merrill. His statements are significant as bearing on the need and practicality of the Montana Water Courts operation:

I agree with the district court. Water adjudication is essentially a local concern, and in every western state water scarcity poses a problem not just to Indians but to everyone. In

my view, it is highly important that each state be accorded room for an effort to solve its water scarcity problem in the manner it regards as most appropriate. Here so long as Montana gives recognition to Indian water rights and their establishment pursuant to federal law, I see no good reason why Indians shouldn't be joined with other water users in the state in order to achieve a comprehensive state adjudication.

Finally, the federal law on the Montana Water Courts, as spoken by the Supreme Court of the United States, through Justice Brennan for the Majority:

In light of this history, the parties in this case have engaged in a vigorous debate as to the exact meaning and significance of the Arizona and Montana Enabling Acts. We need not resolve that debate, however, nor need we resort to the more general doctrines that have developed to chart the limits of state authority over Indians, because we are convinced that, whatever limitation the Enabling Acts or federal policy may have originally placed on state court jurisdiction over Indian water rights, those limitations were removed by the McCarran Amendment.

And on specific problems of Indian rights and federal reservations vis-a-vis Montana State program by adjudication, the Justice continued:

But the most important consideration in Colorado River, and the most important consideration in any federal water suit concurrent to a comprehensive state proceeding, must be the "policy underlying the McCarran Amendment," 424 U.S., at 820; see Moses H. Cone Hospital, supra, at _____, and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from the application of that policy or from the general principles set out in Colorado River.

Even more important is Justice Brennan's clear approval of what the Montana Water Courts can do:

. . . assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings.

We here at the Montana Water Courts know the Justice is not retreating from general principles of Indian rights, and federal reservations. In these words he makes the understanding clear:

Nothing we say today should be understood to represent even the slightest retreat from the general proposition we expressed so recently in New Mexico v. Mescalero Apache Tribe, ante, at _____, (1983): "Because of their sovereign status, [Indian] tribes and their reservation lands are insulated in some respects by an 'historic immunity from state and local control,' Mescalero Apache Tribe v. Jones, 411 U.S. 145, 152 (1973), and tribes retain any aspect of their historical sovereignty not 'inconsistent with the overriding interests of the National Government.' Washington v. Confederated Tribes, [447 U.S. 134, 153 (1980)]." Nor should we be understood to retreat from the general proposition, expressed in Colorado River, that federal courts have a "virtually unflagging obligation. . . to exercise the jurisdiction given them." 424 U.S., at 817. See generally Moses H. Cone Hospital, supra, at _____. But water rights adjudication is a virtually unique type of proceeding, and the McCarran Amendment is a virtually unique federal statute, and we cannot in this contract be guided by general propositions.

Further:

We also emphasize, as we did in Colorado River that our decision in no way changes the substantive law by which Indian rights in state water adjudication must be judged. State courts, as much as federal courts, have a solemn obligation to follow federal law. Moreover, any state court decision alleged to abridge Indian water rights protected by federal law can expect to receive, if brought for review before this Court, a particularized and exacting scrutiny commensurate with the powerful federal interest in safeguarding those rights from state encroachment.

The Act creating the Water Courts and its jurisdiction and its operation meets the caveats of Justice Brennan's opinion. This is evident in the careful adjustment of the general adjudication process to special problems of Indian and federal reserved rights.

85-2-701. Legislative intent. Because the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the general adjudication of existing water rights under the Montana Water Use Act. Therefore, it is the intent of the legislature that the attorney general's petition required in 85-2-211 include all claimants of reserved Indian water rights as necessary and indispensable parties under authority granted the state by 43 USC 666. However, it is further intended that the state of Montana proceed under the provisions of this part in an effort to conclude compacts for the equitable division and apportionment of waters between the state and its people and the several Indian tribes claiming reserved water rights within the state.

85-2-702. Negotiation with Indian tribes. (1) The reserved water rights compact commission, created by 2-15-212, may negotiate with the Indian tribes or their authorized representatives jointly or severally to conclude compacts under 85-2-701. Compact proceedings shall be commenced by the commission. The commission shall serve by

certified mail directed to the governing body of each tribe a written request for the initiation of negotiations of an authorized representative of the tribe to conduct compact negotiations. Upon receipt of such written designation from the governing body of a tribe, compact negotiations shall be considered to have commenced.

(2) When the compact commission and the Indian tribes or their authorized representatives have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of the state of Montana and with the governing body for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana, any affected tribal governing body, and the congress of the United States.

(3) Upon its approval by the Montana legislature and the tribe or federal agency, the terms of a compact must be included in the preliminary decree as provided by 85-2-231. However, if approval of the state legislature and tribe or federal agency has not been accomplished by July 1, 1985, all federal and Indian claims for reserved water rights that have not been resolved by a compact must be filed with the department within 60 days. These new filings shall be used in the formulation of the preliminary decree and shall be given treatment similar to that given to all other filings.

85-2-703. Negotiation with federal government. The compact commission may also enter into separate negotiations with the federal government for the conclusion of compacts concerning the equitable division and apportionment of water between the state and its people and the federal government claiming non-Indian reserved waters within the state. The terms and conditions of such negotiations shall be the same as provided in this section for negotiations with Indian tribes.

85-2-704. Termination of negotiations. The commission or any other party to the negotiations may terminate negotiations by providing notice to all parties 30 days in advance of the termination date. On the termination date, the suspension of the application of part 2 provided for in 85-2-217 shall also terminate. The tribe or federal agency shall file all of the claims for reserved rights within 60 days of the termination of negotiations.

A strict construction of the language used in 85-2-231(d) which states, "The preliminary decree shall be issued within 90 days after the close of the special filing period.", read together with 85-2-270(3), which says that the reserved rights not resolved by an approved compact "must be filed" and "shall be used in the formulation of a preliminary decree" indicates that either approved compacts or filed claims are technically necessary to issue a preliminary decree. However, this strict construction of the legislation could frustrate the clear legislative purpose underlying SB76, which is to "expedite and facilitate" the general adjudication of water rights, by slowing the adjudication process.

The Legislature has authorized the use of an interlocutory decree or "other temporary decrees" prior to the issuance of a preliminary decree when it is needed for "the orderly administration of water rights," 85-2-231. The inclusion of this procedure supports the argument that a preliminary decree should not be issued lacking an approved compact or filed reserved right claims. On the other hand, it also supports the argument that the Court should proceed expeditiously to adjudicate basins even though the extent and quantity of federal reserved right claims is undetermined and unknown.

After close study of the language pertaining to preliminary decrees in the Water Use Act, we should conclude that 85-2-231 technically requires inclusion of approved compacts or filed claims for reserved rights. But as a practical matter it is insignificant whether the decree is called a preliminary or a

temporary decree if they both do the same thing. Furthermore, if both decrees have the same legal effect, the use of the normal procedure, which involves issuance of a preliminary decree, makes sense because it is consistent with the general adjudication procedures established by the Legislature and the Water Courts, and, therefore best serves the orderly administration of water rights.

All pertinent case law in talking of state adjudication programs speak of a "state-wide unified adjudication" of water.

As stated, our Federal District Court of Montana, (Chief Judge James F. Battin and Judge Paul G. Hatfield), have characterized Montana's adjudication of water with these words:

"It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient."

And the 9th Circuit granted a stay of Federal actions as preferable to dismissal. The Court clearly states:

"Moreover the question of adequacy of the State proceedings is one best decided by the State Courts in the first instance."

Further, the McCarran Amendment as interpreted in Colorado River allows and encourages a comprehensive water adjudication to quantify Indian water rights.

And Justice Brennan said:

"... and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from

the application of that policy or from the general principles set out in Colorado River. In the cases before us, assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings."

What of our general adjudication of Montana water? Is it comprehensive? Is it effective? Clearly SB76 (C. 697) is comprehensive. Its mandate from the Legislature is to adjudicate all the water resources. It seeks and will quantify all of Montana's water. The water of individuals, municipal corporations, other corporate entitles, Indian water rights, and other Federal reserved rights in Montana - all of this to the end that statewide we will have certainty as to our water - where it is, who owns it, what it is used for, how long it is used, the source. In fact, the caption item of the water right issued by the Water Courts best shows its comprehensive character of over 200,000 individual and corporate water claims and unnumbered Indian rights and Federal reserved rights. Here is a caption of the water right issued.

CERTIFICATE OF WATER RIGHT NO. W-1005050-00

OWNER:

PRIORITY DATE:

FLOW RATE:

VOLUME:

SOURCE:

PURPOSE:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

PLACE OF USE:

GENERAL REMARKS:

Comprehensive is the key description of the Water Courts plan.

Long before actual gathering of the thousands of water claims, the Court with the help of the Department of Natural Resources and Conservation prepared an Atlas of Water Resources by Hydrologic Basins. This inventory of surface water resources consists of drainage basin maps showing location and relation to each other.

From the three major Continental Basins, a division was made within the State of six major drainage basins based on the streams which flow out of the State and do not reenter: the Kootenai, Clark Fork of the Columbia, St. Mary, Missouri, Yellowstone and Little Missouri. The Belle Fourche drainage of the Cheyenne River in South Dakota extends into a small area of the southeast corner of Montana.

Then the six major drainage basins were divided into 15 sub-major drainage basins consisting of the Upper Clark Fork, Lower Clark Fork; Flathead and Kootenai River Basins in the Columbia River drainage; the Upper Missouri tributaries; Missouri-Smith, Missouri-Sun-Marias; Missouri-Musselshell; Milk; and Missouri-Fork Peck Basins in the Missouri River drainage; the Upper Yellowstone; Middle Yellowstone; and Lower Yellowstone

River Basins in the Yellowstone drainage; the St. Mary River Basin in the Hudson Bay drainage; and the Little Missouri River Basin.

Then again the 15 sub-major basins were divided into 85 minor drainage basins representing the minor tributaries within the State. On a statewide plan of 85 basins, the Court began its statewide adjudication. All of these are based on the work of the Office of Water Data Coordination; U.S. Department of the Interior; Geological Survey Atlas of stream gaging stations. Slight modifications clearly do not significantly change any of the OWDC basins.

The Atlas includes twelve maps showing the 15 sub-major drainage basins with two of these maps showing more than one of the drainage basins on one map page. The maps show culture in black, power lines in grey, and streams and stream names in blue. The major, sub-major, and minor drainage basin boundary lines are shown in three significant widths of red lines. Existing and proposed flood control projects are located by red stars with open stars representing potential projects while closed stars designate existing projects. Blue triangle represent U.S.G.S. stream discharge gaging stations with righted triangles representing stations active as of January 1, 1970, and inverted triangles representing those stations, used in the past, but now discontinued. Green areas on the maps represent presently irrigated land according to the county-wide surveys being conducted by the water resources survey division, Montana Water Resources Board.

The last two maps in the Atlas are prepared by the Montana Water Resources Board staff from information supplied by cooperating agencies.

The first is one prepared through a joint effort of the Water Board and the Montana Fish and Game Department. Shown in green are the fishing access sites, state parks and monuments, and state recreation areas maintained by the Fish and Game Department throughout the State. An index to this map provides the proper names of each of these sites as of January 1, 1970.

The last map in the Atlas shows mountain precipitation by colored isohyet lines representing increments of annual precipitation above 20 inches. This map was prepared in cooperation with the Soil Conservation Service and the National Weather Service.

This detailed information should make clear the detailed planning of our comprehensive, statewide program.

The unification of our statewide plan of state court adjudication of water rights is evident in our approach toward Indian water rights and Federal reserved rights.

The Compact Commission is organized; is working; is talking with the Indian tribes concerning compacts on their water. The Compact Commission is attempting to secure talks with the Forest Service.

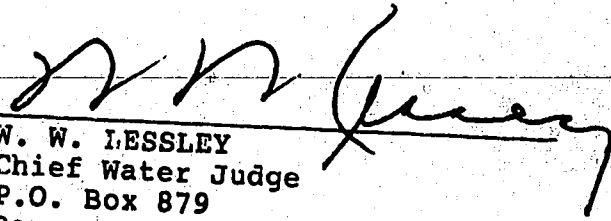
All of this procedure is considered by the Water Courts because in the words of the law, "... the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the

general adjudication of existing water rights. . ."

And so the Water Courts Rule of Court Number 10 and its findings of fact on compacts and federal reservations meet the requirement for unified proceedings. And in some extreme cases to meet what the words of the statute call "the orderly administration of water rights prior to the issuance of a preliminary decree" the Water Court can use an "interlocutory" or "temporary" decree.

In any event, the statewide unified adjudication of water goes on.

DATED this 17 day of June, 1985.


W. W. LESSLEY
Chief Water Judge
P.O. Box 879
Bozeman, MT 59715

BASIN *4E*

Temporary Preliminary

**CERTIFICATE
OF MAILING**



MONTANA WATER COURTS
STATE OF MONTANA

WATER JUDGES:

Upper Missouri River Basin
Chief Judge W. W. Lesley
P.O. Box 879
Bozeman, MT 59715

Lower Missouri River Basin
Judge Bernard W. Thomas
P.O. Box 938
Chinook, MT 59523

Clark Fork River Basin
Judge Robert M. Holler
Lincoln County Courthouse
Libby, MT 59923

Yellowstone River Basin
Judge Roy C. Rodeghiero
P.O. Box 448
Roundup, MT 59072

June 17, 1985

RECEIVED

JUN 18 1985

MONTANA DEPT. OF NATURAL
RESOURCES & CONSERVATION

Jim Kindle
Records Section
Department of Natural Resources
and Conservation
32 South Ewing
Helena, MT 59620

Dear Jim,

Enclosed are the Orders appointing Marjorie Black
as the Master for Basin 41E and designating DNRC to
mail the Notice of Availability.

See you Wednesday.

Sincerely,

Carol

Carol Moore,
Clerk

CAM/encs.

IN THE WATER COURTS OF THE STATE OF MONTANA

IN RE THE MATTER OF)
THE APPOINTMENT OF A WATER)
MASTER OF THE WATER COURTS)
FOR THE UPPER MISSOURI)
DIVISION)

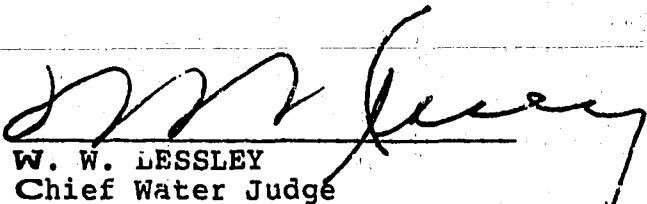
ORDER

The undersigned, as Chief Water Judge of the State of Montana, ORDERS that MARJORIE BLACK be, and she is, hereby appointed Water Master for the Upper Missouri Division for the specific purpose of preparing a Water Master's Report for the Boulder River, Tributary of the Jefferson (41E), to be submitted to me.

ORDERED that MARJORIE BLACK is appointed as the Water Master of the Upper Missouri Division for the additional and specific purpose of hearing all matters on the Temporary Preliminary Decree and related subjects of the Boulder River, Tributary of the Jefferson.

ORDERED that this appointment takes effect as of the date of this Order.

DATED this 17 day of June, 1985.


W. W. LESSLEY
Chief Water Judge
Montana State Water Courts

IN THE WATER COURTS OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER (41E)

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND WITHIN THE BOULDER RIVER,)
TRIBUTARY OF THE JEFFERSON RIVER)
DRAINAGE AREA INCLUDING ALL TRIB-)
UTARIES OF THE BOULDER RIVER,)
TRIBUTARY OF THE JEFFERSON RIVER)
IN JEFFERSON COUNTY, MONTANA.)

O R D E R

DESIGNATING THE DNRC TO MAIL NOTICE OF
AVAILABILITY OF THE TEMPORARY PRELIMINARY DECREE

This Order complies with the requirements of 85-2-232 MCA.

ORDERED that the Department of Natural Resources and
Conservation send by mail to each person and their successor in
interest, if known, who has filed a claim of existing right in
the Boulder River, Tributary of the Jefferson, River (41E), a
copy of the Notice of Availability of the Temporary Preliminary
Decree on that Basin and an abstract of the disposition of such
person's claim of existing right.

ORDERED specifically that the Notice of Availability be
mailed to: (1) all parties in the Boulder River, Tributary of
the Jefferson River, issued permits for water use in that Basin
pursuant to 85-2-301 MCA or their successor in interest, if
known; (2) all parties who have applied for and have not been
denied permits for use of water in the Boulder River, Tributary
of the Jefferson River, pursuant to 85-2-301 MCA; (3) all
parties who have been granted a reservation in the Boulder
River, Tributary of the Jefferson River, pursuant to 85-2-316
MCA; (4) all parties in the Boulder River, Tributary of the

Jefferson River, who have received certificates of water rights pursuant to 85-2-306 MCA for wells under 100 gallons per minute; (5) all federal land management agencies in the Upper Missouri Division; (6) all neighboring states of the Upper Missouri Division; (7) all Indian tribes of the Upper Missouri Division; (8) the County Clerk of Court and Clerk and Recorder of Jefferson County, Montana; (9) any other persons who have requested service of notice from the Water Judge.

ORDERED that the Montana State Water Courts publish the Notice of Availability in newspapers of general circulation in the Boulder River, Tributary of the Jefferson River, including the Boulder Monitor and any other advertisement which may bring the Notice of Availability to the attention of the public.

ORDERED that the Department shall make a general certificate of mailing certifying that a copy of notice has been placed in the United States Mail, postage prepaid and addressed to each party required by this Order to be served notice of the Temporary Preliminary Decree.

FINALLY IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 17 day of June, 1985.


W. W. LESSLEY
Chief Water Judge

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

(406) 444 6601 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 441 6668 WATER DEVELOPMENT BUREAU
(406) 444 6601 WATER MANAGEMENT BUREAU
(406) 444 6610 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

June 20, 1985

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Temporary Preliminary Decree for the Boulder River, Tributary of the Jefferson River Basin (Basin 41E). This mailing was conducted June 20, 1985.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER BASIN (Basin 41E)

CERTIFICATE OF MAILING

The Notice of Entry of
Temporary Preliminary Decree and Notice of Availability
for the Boulder River, Tributary of the Jefferson River Basin (Basin 41E)

State of Montana)
County of Lewis and Clark) ss:

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that:

A. The Notice of Entry of Temporary Preliminary Decree, Notice of
Availability, and abstracts showing dispositions of each person filing a claim
for the Boulder River, Tributary of the Jefferson River Basin (Basin 41E) has
been placed in the United States Mail, postage prepaid and addressed to each
party as per the records of the Water Rights Bureau, Department of Natural
Resources and Conservation, June 20, 1985.

B. The Notice of Entry of Temporary Preliminary Decree and Notice of
Availability for the Boulder River, Tributary of the Jefferson River Basin
(Basin 41E) has been placed in the United States Mail, postage prepaid and
addressed to each party as per the records of the Water Rights Bureau,
Department of Natural Resources and Conservation, June 20, 1985 for; (1) all
parties in the Boulder River, Tributary of the Jefferson River Basin issued
permits for water use in that basin pursuant to 85-2-301, MCA, 1978, or their
successor in interest, if known; (2) all parties in the Boulder River,
Tributary of the Jefferson River Basin who have applied for permits for use of

water pursuant to 85-2-301, MCA, 1978; (3) all parties in the Boulder River, Tributary of the Jefferson River Basin who have been granted a reservation pursuant to 85-2-316, MCA, 1978; (4) all parties in the Boulder River, Tributary of the Jefferson River Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; (5) all holders of claims in the Boulder River, Tributary of the Jefferson River Basin terminated by the Field Offices and the Department of Natural Resources and Conservation before an Order of the Water Court of April 22, 1982, ordering that these claims were not to be terminated but stamped at the time of filing and processed as all other claims, even though there was a failure of payment of fees; (6) all federal land management agencies in the Upper Missouri Water Division; (7) all Indian Tribes in the Upper Missouri Water Division; (8) all neighboring states of the Upper Missouri Water Division; (9) the County Clerk of Court and Clerk and Recorder of Jefferson County, Montana; (10) any other persons who have requested service of notice from the Water Judge.

C. The Department of Natural Resources and Conservation sent to the Clerk of Court of Jefferson County an entire copy of the Temporary Preliminary Decree for the Boulder River, Tributary of the Jefferson River Basin and index thereto.

D. The Department of Natural Resources and Conservation sent to the Clerk of Court of Jefferson County County (Boulder, MT) microfilm copies of prima facie claims and Department records for all claims submitted in the Boulder River, Tributary of the Jefferson River Basin.

This mailing and distribution was made under my direction and control
on June 20, 1985.

Dated this 20th day of JUNE 1985.

James E. Kindle

JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

State of Montana)
: ss.
County of Lewis & Clark)

On this 20th day of JUNE 1985, before me, a Notary
Public in and for said state, personally appeared James E. Kindle, known to me
to be a Supervisor for the Water Resources Division of the Department of
Natural Resources and Conservation, and acknowledges to me that he, in his
official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official
seal, the day and year in this certificate first above written.

John P. Quinn

Notary Public for the State of Montana
Residing at Helena
My commission expires 1-21-1987

UPPER MISSOURI DIVISION

NOTICE TO INTERESTED PARTIES

(5)*

All Federal Land Management Agencies in the Upper Missouri Division

Area Director
U.S.D.A. Forest Service
Federal Building
Missoula, MT 59807

Director
Bureau of Land Management
P.O. Box 38600
Billings, MT 59107

Division Engineer
U.S. Army Corps of Engineers
P.O. Box 103
Downtown Station
Omaha, NE 68101

Regional Director
Bureau of Reclamation
316 North 26th Street
Room 3035
Billings, MT 59101

Soil Conservation Service
10 West Babcock
Room 443, Federal Building
Bozeman, MT 59715

(6)

All Neighboring States of the Upper Missouri Division

Director
Department of Water Resources
450 West State Street
Boise, ID 83720

George L. Christopulos
State Engineer
State Office Building East
Cheyenne, WY 82002

(7)

All Indian Tribes in the Upper Missouri Division

Mr. Michael Fairbanks
Superintendent
Blackfeet Agency
Browning, MT 59417

Mr. Earl Old Person
Chairman
Blackfeet Tribal Bus. Council
Browning, MT 59417

(8)

County Officials

Mrs. Viola M. Trettin
Clerk of the Court
Jefferson County Courthouse
Boulder, MT 59632

Mrs. Joanne P. McFarlane
Clerk and Recorder
Jefferson County Courthouse
Boulder, MT 59632

(9)

Other Interested Parties

Department of Natural Resources
Field Office
28 South Rodney
Helena, MT 59601

John C. Chaffin
Dept. of Interior
SOL/DER/6045
18th and C Streets NW
Washington, D.C. 20240

Pat Barry
Indian Resource Section
U.S. Dept. of Justice
10th and Pennsylvania Ave. NW
Washington, D.C. 20530

U.S. Attorney General
Dept. of Justice Building
Washington, D.C. 20530

Field Solicitor
Room 5931
Federal Building
Billings, MT 59103

G. Steven Brown
Attorney for Mt. Dept. of
Fish, Wildlife & Parks
1313 11th Avenue
Helena, MT 59601

Ted Doney
Attorney At Law
314 N. Last Chance Gulch
Helena, MT 59601

Sherry Matteucci
Crowley Law Firm
P.O. Box 2529
Billings, MT 59103

Swanberg, Coby, Swanberg and
Matteucci
P.O. Box 2567
Great Falls, MT 59403

A. Suzanne Nellen
P.O. Box 1412
Bozeman, MT 59715

Dave Moon, Attorney
Box 1288
Bozeman, MT 59715

Michael E. Zimmerman
Attorney at Law
40 East Broadway
Butte, MT 59701

Regional Director
U.S. Fish and Wildlife Serv.
P.O. Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Attorney
Federal Building
Butte, MT 80225

Aaron Hostyk
U.S. Army Engineer Dist. Omaha
Corps of Engineers
6014 U.S. P.O. & Courthouse
Omaha, NE 68102

Tom Luebben
Attorney at Law
P.O. Box 25686
Albuquerque, NM 87125

HKM Associates
Ralph Saunders
P.O. Box 31318
Billings, MT 59107

Tom K. Hopgood
Loble & Pauly, P.C.
Box 176
Helena, MT 59624

Vern House
Extension Economics
Montana State Univeristy
210 Lindfield Hall
Bozeman, MT 59714

Rich Munger
1007 N. Warren
Helena, MT 59601

1 TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
2 TRIBUTARY OF JEFFERSON RIVER

06/13/85

3 ***** OWNER LIST *****

PAGE 1

4
5
6 ABELIN-VANDUSEN DENIECE M
7 669 WHEELER VILLAGE
8 MISSOULA MT 59802

9
10
11 ALLEN HARVEY D
12 BOX 467
13 SHERIDAN MT 59749

14
15
16 ANDERSON MARY K
17 BOX 45
18 BOULDER MT 59632

19
20
21 ANDERSON ROBERT L
22 BOX 45
23 BOULDER MT 59632

24
25
26 ASPEN LAND & LIVESTOCK CO LTD
27 PO BOX 7252
28 MISSOULA MT 59807

29
30
31 ATLANTIC RICHFIELD CO
32 EUGENE C TIDBALL
33 1550 17TH ST
34 DENVER CO 80202

35
36
37 BAKER HARRY A
38 BOX 652
39 CASCADE MT 59421

40
41
42 BAKER JR HARRY A
43 BOX 652
44 CASCADE MT 59421

45
46
47 CARTOLETTI LOUIS
48 1818 GOLDEN
49 SHELLEN/AR MT 59601

50
51
52 BASIN COUNTY WATER & SEWER DISTRICT
53 BASIN MT 59631

54
55
56 BASIN MIRACLE MINES ICE
57 10 SPRUCE ST
58 BOX 3444
59 BASIN MT 59631

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TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
 TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 2

**** OWNER LIST ****

BELLING	LEROI	P	
BOX 568			
BOULDER	MT	59632	
BENI	FRANK		
814	UKESHA		
BOULDER		59701	
BOONE	THOMAS	H	
SUBITE 301 CENTRAL SQUARE			
201 W MAIN ST			
MISSOULA	MT	59802	
BOULDER, TOWN OF			
304 N MAIN			
BOULDER	MT	59632	
BOWSER	BETTY	A	
35 D ST			
WAIN BUREN HOMES			
BEAVER	PA	15009	
BREMER, OTTO FOUNDATION			
X OPPENHEIMER, WOLFF, FOSTER			
1700 FIRST BANK BLDG			
ST PAUL	MN	55101	
BROOKS	EVANGELINE		
BOX 295			
TOWNSEND	MT	59644	
BROTHERS	LOIS	M	
106 HILLSIDE			
BOX 374			
BASIN	MT	59631	
BROWN	DANA		
2716 W SAHARA			
TUCSON	AZ	85705	
BROWN	JOHN	I	
2716 W SAHARA			
TUCSON	AZ	85705	
BULLOCK	ALLAN	J	
BOX 3443			
BASIN	MT	59631	

TEMPORARY PRELIMINARY DECREE ON BOULDER R
TRIBUTARY OF JEFFERSON RIVER

1
2
3 **** OWNER LIST ****
4
5
6 BULLOCK DELBERT M
7 BOX 3443 MT 59631
8 BASIN
9
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11 BURGESS FRANK
12 345 ASH DR MT 59701
13 BUTTE
14
15 BURGESS VIRGINIA D
16 345 ASH DR MT 59701
17 BUTTE
18
19
20 BURK RANCHES INC
21 BOX 95 MT 59732
22 GLEN
23
24
25 BURLINGTON NORTHERN RAILROAD CO
26 PO BOX 579 MT 59301
27 MILES CITY
28
29
30
31 BURT VICTOR D
32 3008 IRENE MT 59701
33 BUTTE
34
35 CANDLESTICK LANCH CO
36 CARDWELL MT 59721
37
38
39
40 CAREY FRANKLIN C
41 STAR ROUTE MT 59632
42 BOULDER
43
44
45 CAREY MICHAEL J
46 STAR ROUTE MT 59632
47 BOULDER
48
49
50 CAREY PATRICK E
51 STAR ROUTE MT 59632
52 BOULDER
53
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55 CAREY TOM
56 BOX 47 MT 59632
57 BOULDER
58
59
60

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
 TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 4

**** OWNER LIST ****

1	CAREY	VINCENT	J	
2	STAR ROUTE			
3	BOULDER	MT		59632
4				
5	CAREY, JOHN RANCH INC			
6	STAR RT			
7	BOULDER	MT		59632
8				
9	CAREY, TOM CATTLE CO			
10	BOX 47			
11	BOULDER	MT		59632
12				
13	CARLSON	CHARLES	W	
14	BOX 3473			
15	BASIN	MT		59631
16				
17	CARLSON	EDNA	M	
18	BOX 3473			
19	BASIN	MT		59631
20				
21	CARPENTER BROTHERS INC			
22	BOX 38			
23	MELROSE	MT		59743
24				
25	CARRIGER	CLARK	R	
26	2801 SHERMAN			
27	BUTTE	MT		59701
28				
29	CARTWRIGHT	ANNIE	L	
30	BOX 111			
31	BOULDER	MT		59632
32				
33	CARTWRIGHT	EDGAR	F	
34	BOX 111			
35	BOULDER	MT		59632
36				
37	CARVER	MARIE		
38	6703 SEAVIEW BLVD			
39	HUDSON	FL		33567
40				
41	CARVER	WILLIAM	J	
42	6703 SEAVIEW BLVD			
43	HUDSON	FL		33567
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DATA DOCUMENTS/INC

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 5

**** OWNER LIST ****

1	CERISE	CINDY	S	
2	ELK PARK STAR RT			
3	BUTTE	MT		59701
4				
5	CERISE	HENRY		
6	ELK PARK STAR RT			
7	BUTTE	MT		59701
8				
9	CERISE	VIOLA	M	
10	ELK PARK STAR RT			
11	BUTTE	MT		59701
12				
13	CHADWICK	DOUGLAS	H	
14	WHISPERING PINES RD			
15	EVARO	MT		59802
16				
17	CHADWICK	THOMAS	H	
18	WHISPERING PINES RD			
19	EVARO	MT		59802
20				
21	CIABATTARI	ETALO	A	
22	928 1/2 COLORADO ST			
23	PO BOX 276			
24	BUTTE	MT		59703
25				
26	CIABATTARI	GERARD	M	
27	928 1/2 COLORADO ST			
28	PO BOX 276			
29	BUTTE	MT		59703
30				
31	COLFMAN	VIOLA	M	
32	BOX 445			
33	WABASIN	MT		59631
34				
35	CORETTE	DEBORAH	W	
36	35 EASTFIELD DR			
37	ROLLING HILLS	CA		90274
38				
39	CORETTE	WILLIAM	P	
40	35 EASTFIELD DR			
41	ROLLING HILLS	CA		90274
42				
43	COX	VICKI	S	
44	ELKHORN RT			
45	BOULDER	MT		59632
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TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 6

**** OWNER LIST ****

CRENSHAW BOX 285 BOULDER	WILLIAM	B	MT	59632
CRYSTAL NORTHWEST MINES INC 204 ARNOLD ST BOZEMAN			MT	59715
CUNNINGHAM 2131 WALL ST BUTTE	KENNETH	P	MT	59701
DANIELS 4 MILTON DATSOPOULOS 201 W MAIN MISSOULA	JERROLD	B	MT	59802
DAVIDSON PO BOX 451 BIASON	JOHN	G	MT	59631
DAVIDSON STAR RT BOULDER	KAREN	E	MT	59632
DAWSON RURAL ROUTE BOULDER	ANNE MARIE		MT	59632
DAWSON RR BOULDER	GEORGE	D	MT	59632
DAWSON STAR RT BOULDER	GEORGE	W	MT	59632
DAWSON RR BOULDER	JOHN	W	MT	59632
DAWSON RR BOULDER	RAE CILLE		MT	59632

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 7

**** OWNER LIST ****

DAWSON THOMAS W
STAN RT MT 59632
BOULDER

DAWSON WILLIAM L
PO BOX 63 MT 59632
BOULDER

DAWSON GEORGE RANCH
STAN RT MT 59632
BOULDER

DEMERS ALMA M
BOX 415 MT 59632
BOULDER

DEMERS HAROLD R
BOX 415 MT 59632
BOULDER

DODGE RICHARD M
BOX 525 SD 57719
BOX WELDER

DUNKS CHARLOTTE M
2413 KOSSUTH MT 59701
BUTTE

DUNKS WILLIAM L
2413 KOSSUTH MT 59701
BUTTE

DUTTON BERNICE R
RT 1 BOX 2744 MT 59721
CARDWELL

DUTTON WALTER A
RT 1 BOX 2744 MT 59721
CARDWELL

EDEN DAY LILLIAN M
BONDS CAMANO RIDGE RD WA 98292
CAMANO ISL

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 8

OWNER LIST

1	EICH	LOUIS	J	
2	BOX 629	MT	59632	
3	BOULDER			
4				
5	BECKHORN MINING CO			
6	PO BOX 67	MT	59632	
7	BOULDER			
8				
9	ENDRESSE	RUDY		
10	801 WALKESHA	MT	59701	
11	BUTTE			
12				
13	ENGDAHL	ALEXIS		
14	PO BOX 623			
15	411 S WASHINGTON	MT	59632	
16	BOULDER			
17				
18	ENGDAHL	CHARLES	E	
19	PO BOX 623			
20	411 S WASHINGTON	MT	59632	
21	BOULDER			
22				
23	WADNESS	MYLO	D	
24	STAR RT	MT	59632	
25	BOULDER			
26				
27	FADNESS	RUTH	M	
28	STAR RT	MT	59632	
29	BOULDER			
30				
31	FAEGRE	SHIRLEY	F	
32	18320 BREEZY POINT RD	MN	555391	
33				
34	FELSHEIM	JESSIE	S	
35	BOX 8	MT	59721	
36	CARDWELL			
37				
38	FORAN	DIANE		
39	STAR RT	MT	59632	
40	BOULDER			
41				
42	FORCELLA	DELORES		
43	NORTH OF WHITEHALL			
44	RT 2 BOX 2342	MT	59759	
45	WHITEHALL			
46				

1	TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER	06/13/85
2	TRIBUTARY OF JEFFERSON RIVER	
3	*** OWNER LIST ***	PAGE 9
4		
5	FORCELLA FRED	
6	NORTH OF WHITEHALL	
7	RT 2 BOX 2342	
8	WHITEHALL MT	59759
9		
10		
11	FORD BEVERLY A	
12	211 SOUTH MONROE	
13	BOULDER MT	59632
14		
15		
16	FORD MICHAEL S A	
17	211 SOUTH MONROE	
18	BOULDER MT	59632
19		
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21	FRANCHI JAMES	
22	STAR RT	
23	BOULDER MT	59632
24		
25		
26	FRANCONE ESTHER T	
27	ELK PARK STAR RT	
28	BUTTE MT	59701
29		
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31	FRANCONE WILLIAM	
32	ELK PARK STAR RT	
33	BUTTE MT	59701
34		
35		
36	GANNON LAWRENCE D	
37	RR 4285	
38	GREAT FALLS MT	59401
39		
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41	GANNON LUCILLE A	
42	RR 4285	
43	GREAT FALLS MT	59401
44		
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46	GILMER JEAN C	
47	BOX 225	
48	BOULDER MT	59632
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51	GILMER MILTON O	
52	BOX 225	
53	BOULDER MT	59632
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57	GILBERT GORDON	
58	BOX 206	
59	BOULDER MT	59632
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TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 10

**** OWNER LIST ****

1	GIULIO	HAROLD	J	
2	BOX 256			
3	BOULDER	MT	59632	
4				
5	GIULIO	LILLIAN	H	
6	BOX 406			
7	BOULDER	MT	59632	
8				
9	GIULIO, JR	JOHN		
10	BOX 406			
11	BOULDER	MT	59632	
12				
13	GREISINGER	PAUL		
14	BOX 45			
15	MEUROSE	MT	59743	
16				
17	GOODWIN, JR	CHARLES	W	
18	BOX 374 106 HILLSIDE			
19	BASIN	MT	59631	
20				
21	GREANY	MARY REGINA		
22	522 BURNT HOLLOW			
23	DEER LODGE	MT	59722	
24				
25	GREANY	RICHARD	J	
26	522 BURNT HOLLOW			
27	DEER LODGE	MT	59722	
28				
29	GRANDY (CRESS)	ANNE	M	
30	2 BASIN MIRACLE MINES INC			
31	100 SPRUCE ST BOX 3444			
32	BASIN	MT	59631	
33				
34	HAUG	JAMES	H	
35	2801 SHERMAN			
36		MT	59701	
37				
38	PALLER	JOHN	WC	
39	100 SPRUCE ST BOX 3444			
40	BUTTE	MT	59701	
41				
42	BAHNEY	DONALD	IL	
43	3037 DELUNA DR			
44	RANCHO PALOS VERDES	CA	90274	
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TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 11

OWNER LIST

HANLEY	JOAN	C	
3037 DELUNA DR	CA	90274	
RANCHO PALOS VERDES			
HARRINGTON	DANIEL	R	
843 W BROADWAY	MT	59701	
BUTTE			
HARRINGTON	GERALD	J	
843 W BROADWAY	MT	59701	
BUTTE			
HARRINGTON	MARIE	T	
843 W BROADWAY	MT	59701	
BUTTE			
HEIDE	DORA		
BOX 210	MT	59632	
BOULDER			
HEIDE	JOHN	R	
BOX 210	MT	59632	
BOULDER			
HELENA SILVER MINES			
111 N 2ND ST	ID	83814	
COEUR D'ALENE			
HENNINGSEN	ANKER	B	
BOX 1265	CA	93953	
PEBBLE BEACH			
HENSLEY	ILA	M	
505 S ROBERTS	MT	59601	
HELENA			
HENSLEY	WILBUR	J	
505 S ROBERTS	MT	59601	
HELENA			
HUGGABA	SUSANNE	L	
BOX 8	MT	59721	
MACARDWELL			

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 12

OWNER LIST

HUCKABA, L R CONST INC

BOX 6 MT 59721

CARDWELL

INVESTMENTS TRUST INC

18500 W BLUEMOUND MT 53005

BROOKFIELD

JAGUIRE MARY E

BOX 380 MT 59632

BOULDER

JENKINS JESSIE

BOX 154 MT 59632

BOULDER

JESSEN HAROLD J

1874 W 2ND AVE MT 59632

BOX 292

BOULDER

JESSEN LORNA B

1874 W 2ND AVE MT 59632

BOX 292

BOULDER

JOHNSON DONALD W

FIRST NATIONAL BANK BLDG MT 59701

ROOM 8

BOULDER

JOHNSON KEITH P

FIRST NATIONAL BANK BLDG MT 59701

ROOM 8

BOULDER

JONES JEANINE

RURAL ROUTE MT 59632

BOULDER

JONES JEANINE

RURAL ROUTE MT 59632

BOULDER

JONES JOHN P

1801 SOUTH ARIZONA MT 59701

BUTTE

BOULDER

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

**** OWNER LIST ****

PAGE 13

JORONEN ROBERT H
608 LOCUST
ANACONDA MT 59711

JORONEN VIOLET L
608 LOCUST
ANACONDA MT 59711

KEANE JAMES K
2100 WALL ST
BUTTE MT 59701

KEANE JAMES K
405 W BROADWAY
BUTTE MT 59701

KIMPTON RANCH CO
PO BOX 33
TOSTON MT 59643

KIMPTON BURTON G
2111 MASSACHUSETTS
BUTTE MT 59701

KIMPTON ETTA M
2111 MASSACHUSETTS
BUTTE MT 59701

KIMPTON FURREST
3711 20TH AVE SE
BOYALTEUP WA 98373

KONDA MARIAN P
BOX 54
RAMSAY MT 59748

KONDA WALTER V
BOX 54
RAMSAY MT 59748

KOSTUK ARTHUR A
BOX 702
IDAHO FALLS ID 83402

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 14

OWNER LIST

KOSTUK LILLIAN F
PO BOX 762 ID 83402
IDAHO FALLS

KOUNTZ JOHN
RT 1 BOX 1678 MT 59759
IDAHO FALLS

KRALICK GEORGE
RT 1 BOX 95 MT 59749
SHERIDAN

KUMP JOHN
STAR RT ELK PARK MT 59701
BUTTE

KUMP TERRI L
STAR RT ELK PARK MT 59701
BUTTE

KYLER ED
MT 59632
IDAHO FALLS

KYLER ED
JEFFERSON CITY MT 59601
HELENA

KYLER RANCH CO
CARTER WILLIAMS MT 59403
GREAT FALLS

KYLER RANCH PARTNERSHIP
CARTER WILLIAMS MT 59403
GREAT FALLS

LARISH MARIE
1495 BEAVERHEAD DR MT 59601
HELENA

LARISH MARIE V
1049 GLADSTONE AVE MT 59701
BUTTE

06/13/85

PAGE 15

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER TRIBUTARY OF JEFFERSON RIVER

OWNER LIST ****

LARSON DONALD L
PO BOX 23 MT 59632
BOULDER

LARSON LILLIAN R
PO BOX 23 MT 59632
BOULDER

LEE BERNADINE L
PO BOX 23 MT 59701
BOULDER

LEWIS ALLEN
STAR RT MT 59632
BOULDER

LEMIEUX DAVID A
STAR RT MT 59632
BOULDER

LEMIEUX LUCILLE A
STAR RT MT 59632
BOULDER

LESAGE BILLIE L
1147 STEELE ST MT 59701
BUTTE

LESAGE PAUL A
1147 STEELE ST MT 59701
BUTTE

LEWIN, PAUL A GIFT TRUST FOR STUART
LEWIN, PAUL A GIFT TRUST FOR STUART
BOX 649 BOULDER HOT SPRINGS MT 59632
BOULDER

LEWIN, IRVING L GIFT TRUST FOR RACHEL MICHELE
LEWIN, IRVING L GIFT TRUST FOR RACHEL MICHELE
BOX 649 BOULDER HOT SPRINGS MT 59632
BOULDER

LEWIS JESSIE T
PO BOX 411 MT 59632
BOULDER

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
 TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 16

**** OWNER LIST ****

1	LINDSAY	ADA	J	
2	PO BOX 67			
3	CLANCY	MT		59634
4				
5	LOVELY	MITCHELL	A	
6	1365 MILL RD			
7	HELENA	MT		59601
8				
9	LYNN	ROBERT	L	
10	217 LASALLE RD			
11	KALISPELL	MT		59901
12				
13	LYNN MINES & MINING INC			
14	690 S HILLTOP RD			
15	COLUMBIA FALLS	MT		59912
16				
17	MACK	WILLARD		
18	364 HART ALBIN BLDG			
19	BILLINGS	MT		59101
20				
21	MAGUIRE	MARY	E	
22	BOX 380			
23	BOULDER	MT		59632
24				
25	MAYCUMBER	GUY	E	
26	217 LASALLE RD			
27	KALISPELL	MT		59901
28				
29	MCCAULEY	EDWARD	K	
30	BOX 25			
31	BOULDER	MT		59632
32				
33	MCCAULEY	EMMETT	J	
34	MCCAULEY RANCHES			
35	BOX 25			
36	BOULDER	MT		59632
37				
38	MCCAULEY	MARGY	B	
39	MCCAULEY RANCHES			
40	BOX 25			
41	BOULDER	MT		59632
42				
43	MCDONNELL	TOM	J	
44	3015 W GRANITE			
45	BUTTE	MT		59701
46				
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TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
 TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 17

**** OWNER LIST ****

1	MILLER	ARLENE	M
2	1115 E 5TH ST		
3	ANACONDA	MT	59711
4			
5	MILLER	LESTER	L
6	1115 E 5TH ST		
7	ANACONDA	MT	59711
8			
9	MILODRAGOVICH	ANN	
10	3949 GLADSTONE AVE		
11	BUTTE	MT	59701
12			
13	MICHELLE	J	P
14	208 W PARK ST		
15	BUTTE	MT	59701
16			
17	MOLLITOR	MARY	
18	BOX 259		
19	BOULDER	MT	59632
20			
21	MONFORTON	BETTY JO	
22	RT 1 BOX 1426		
23	WHITEHALL	MT	59759
24			
25	MONFORTON	REMI	E
26	RT 1 BOX 1426		
27	WHITEHALL	MT	59759
28			
29	MONTANA, STATE OF BOARD OF LAND COMMISSIONER		
30	DEPT OF STATE LANDS		
31	CAPITOL STATION		
32	HELENA	MT	59620
33			
34	MONTANA, STATE OF DEPT OF INSTITUTIONS		
35	BOULDER RIVER SCHOOL & HOSPITAL		
36	BOX 87		
37	BOULDER	MT	59632
38			
39	MULLER, GERALD E RANCH INC		
40	BOX 703		
41	DEER LODGE	MT	59722
42			
43	MURPHY	DOROTHY	P
44	BOX 568		
45	BUTTE	MT	59703
46			
47			
48			
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DATA DELETED/INC

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 18

**** OWNER LIST ****

MURPHY	JUDY	A	
BOX 556		MT	59632
BOULDER			
MURPHY	THOMAS	F	
BOX 556		MT	59632
BOULDER			
MURPHY, ED RANCHES INC			
BOX 57		MT	59632
BOULDER			
MURRAY	LULU	A	
W D MURRAY, JR			
27 W BROADWAY		MT	59701
BUTTE			
MURRAY	WILLIAM	D	
W D MURRAY, JR			
27 W BROADWAY		MT	59701
BUTTE			
MURRAY, JR	WILLIAM	D	
27 W BROADWAY		MT	59701
BUTTE			
NEUBERG	GEORGE	S	
319 31ST ST W		MT	59102
BILLINGS			
NEZ PERCE LAKE TROUT CO			
27 W BROADWAY		MT	59701
BUTTE			
NYQUIST	DORIS	S	
221 E 3RD			
BOX 133		MT	59632
BOULDER			
NYQUIST	NILS	C	
221 E 3RD			
BOX 133		MT	59632
BOULDER			
O'CONNOR	BARBARA	L	
207 BOX 207		MT	59635
EAST HELENA			

4
5
6 OCONNOR JAMES F
7 PO BOX 207
8 EAST HELENA MT 59635
9

10
11 OLSON MARK H
12 PO BOX 208
13 BOULDER MT 59632
14

15
16 OLSON STEVE D
17 STARBUCK
18 BOULDER MT 59632
19

20
21 JOHNSON SUSAN K
22 PO BOX 208
23 BOULDER MT 59632
24

25
26 OVERHOLT EDITH M
27 651 DWYER DR
28 ANAHEIM CA 92801
29

30
31 PACIFIC SILICA CO
32 5427 OHIO AVE S
33 SEATTLE WA 98134
34

35
36 PALLISTER BLANCHE W
37 BOX 86 JAYBIRD RANCH
38 BOULDER MT 59632
39

40
41 PALLISTER PHILIP D
42 BOX 86 JAYBIRD RANCH
43 BOULDER MT 59632
44

45
46 PARINI EMELIO T
47 110 E GAGNON STREET
48 BUTTE MT 59701
49

50
51 PARSONS NANCY J
52 BOX 41
53 PAISON MT 59631
54

55
56 PAYER JEANNETTE M
57 PO BOX 3171
58 BUTTE MT 59701
59

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TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/11/85

PAGE 20

OWNER LIST

PRESTON GILBERT A
STAR RT ELK PARK MT 59701
BUTTE

PRESTON HELEN L
STAR RT ELK PARK MT 59701
BUTTE

PRUSSACK HERBERT E
20093 LAKE CHABOT RD CA 94546
CASTRO VALLEY

PRUSSACK HELEN L
20093 LAKE CHABOT RD CA 94546
CASTRO VALLEY

PUICH HELEN
3612 PARK BLVD CA 92103
SAN DIEGO

PUICH ILKA
3612 PARK BLVD CA 92103
SAN DIEGO

QUINN MIKE T
BAYVIEW RANCH MT 59632
BOULDER

REEDBACH WILLIAM P
2900 CARRIGAN LN MT 59725
BOULDER

RENNIE DIXIE L
BOX 231 MT 59632
BOULDER

RENNIE JAMES R
BOX 231 MT 59632
BOULDER

RIEBER RANCH
BOX 5 MT 59732
GLEN

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

**** OWNER LIST ****

PAGE 21

RIEDER RANCH INC

BOX 42

BOULDER

MT

59632

ROBBINS

DELOS

E

X THOMAS H BOONE, TRUSTEE

201 W MAIN ST SUITE 301

MISSOULA

MT

59802

ROEBER

MARGARET

T

203 MISSOULA AVE

BUTTE

MT

59701

ROEBER

ROBERT

P

203 MISSOULA AVE

BUTTE

MT

59701

ROMAN CATHOLIC BISHOP OF HELENA

BOX 1729

HELENA

MT

59624

ROTHFUS

LOUISA

2100 OREGON AVE

BUTTE

MT

59701

ROUND GROVE RANCH CO INC

642 MONROE

HELENA

MT

59601

ROWE

L ELAINE

PO BOX 779

BOULDER

MT

59632

RUBY RESOURCES OF MONTANA INC

PO BOX 987

SIGUANABEACH

CA

92075

RYAN

ROBERT

P

304 HARTLEY BLDG

BILLINGS

MT

59101

SALUSO

MARTIN

FIRST NATIONAL BANK BLDG

ROOM 8

BUTTE

MT

59701

1	TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER			05/15/85
2	TRIBUTARY OF JEFFERSON RIVER			
3	***** OWNER LIST *****			PAGE 22
4				
5				
6				
7	SAMSON	JOANNE		
8	BOX 358			
9	BOULDER	MT	59632	
10				
11	SAMSON	OTTOCAR	R	
12	BOX 358			
13	BOULDER	MT	59632	
14				
15	SCHIELE	GLORIA	J	
16	382 BURNT HOLLOW RD			
17	DEER LODGE	MT	59722	
18				
19				
20				
21	SCHIELE	HENRY	J	
22	382 BURNT HOLLOW RD			
23	DEER LODGE	MT	59722	
24				
25				
26	SCHROEDER	CHARLES	S	
27	502 NORTH H ST			
28	LOMPOC	CA	93436	
29				
30				
31	SCHROEDER	RAYMOND	D	
32	651 DWYER DR			
33	AVANCO	CA	92801	
34				
35				
36	SENEAC	LORENE	K	
37	BOX 493			
38	BASIN	MT	59631	
39				
40				
41	SHERVIN	GLAUCDETTE		
42	P.O. BOX 614			
43	BOULDER	MT	59632	
44				
45				
46	SHERVIN	HAROLD		
47	P.O. BOX 614			
48	BOULDER	MT	59632	
49				
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51	SHERFIELD	OWEN	F	
52	BOX 380			
53	BOULDER	MT	59632	
54				
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56	SIMONICH	JAMES	J	
57	BOX 312			
58	CARDWELL	MT	59721	
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06/13/85

PAGE 23

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

OWNER LIST ****

1	SMITH	PAUL	B	
2	LAZY T RANCH			
3	BOULDER	MT	59632	
4				
5	SMITH	TRESA	V	
6	LAZY T RANCH			
7	BOULDER	MT	59632	
8				
9	SMITH, PAUL T RANCHES INC			
10	LAZY T RANCH			
11	BOULDER	MT	59632	
12				
13	SOLOGUB	JOSEPH	W	
14	ELK PARK STAR RT			
15	BOULDER	MT	59701	
16				
17	SOLOGUB	TERRI	K	
18	ELK PARK STAR RT			
19	BOULDER	MT	59701	
20				
21	SPOKANE RANCH			
22	BOX 13			
23	GARDINER	MT	59721	
24				
25	STEINGRUBER	LOUISE		
26	WILLOW CREEK			
27	BOULDER	MT	59760	
28				
29	STEINGRUBER	LOUISE		
30	RR			
31	BOULDER	MT	59632	
32				
33	STOVER	MARY	J	
34	51-25 S 21-50 W			
35	ROY	UT	84067	
36				
37	STOVER	ROGER	G	
38	51-25 S 21-50 W			
39	ROY	UT	84067	
40				
41	STREIB	STEPHEN	W	
42	BOULDER	MT	59632	
43				
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1 TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
2 TRIBUTARY OF JEFFERSON RIVER

06/13/85

3 OWNER LIST ****

PAGE 124

4 SYLVANITE INC
5 FIRST NATIONAL BANK BLDG
6 ROOM 8
7 BUTTE MT 59701

8 LEWALY LINDA C
9 217 S TRACY
10 BOZEMAN MT 59715

11 LEWALY RONALD J
12 217 S TRACY
13 BOZEMAN MT 59715

14 TOMICH JOANN
15 412 W PARK
16 BUTTE MT 59701

17 TOMICH THOMAS J
18 412 W PARK
19 BUTTE MT 59701

20 TOOLE JOSEPH P
21 PRIVADIA HUMBOLDT 1901
22 CUERNAVACA MORELOS
23 MEXICO 62000

24 TREASURE STATE RETRIEVER CLUB
25 PO BOX 4082
26 BUTTE MT 59701

27 TRIBBLE LARRY N
28 RR
29 BUTTE MT 59721

30 TRIBBLE LORETTA E
31 CARDWELL MT 59721

32 JOSEPH JAMES A
33 1818 GOLDEN
34 HELENA MT 59601

35 TWOHY EVE D
36 325 HOLTER
37 HELENA MT 59601

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

PAGE 25

OWNER LIST ****

US DEPT OF AGRICULTURE FOREST SERVICE

PO BOX 7669

MISSOULA

MT

59807

US DEPT OF INTERIOR BUREAU OF LAND MGMT

PO BOX 36800

BILLINGS

MT

59107

VANINA JULIUS

BLK PARK STAR RT

BUTTE

MT

59701

VANUGHN MONDA S

937 11TH AVE

HELENA

MT

59601

WALKER DAVID D

1114 MARYLAND AVE

BUTTE

MT

59701

WARREN CONRAD K

RFD 1 N

DEER LODGE

MT

59722

WEBER EDUARD H

733 BROADWAY

HELENA

MT

59601

WEBER LOLEA M

733 BROADWAY

HELENA

MT

59601

WHEELER WILLIAM J

GRANT CREEK

MISSOULA

MT

59802

WHITEHORN WAYNE A

BOX 23

FLOWER BEE

MT

59440

WIKSTROM KATHARINE E

STANBURY

NECEDAH

WI

54646

TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
TRIBUTARY OF JEFFERSON RIVER

06/13/85

OWNER LIST ****

PAGE 26

WIKSTROM KATHERINE E
BOX 7884
MISSOULA MT 59807

WICHHEIM LLOYD
1810 LAFAYETTE
BOULDER MT 59701

WILLIAMS JOHN F
BOX 174
RADERSBURG MT 59641

WILLIAMS WILLIAM D
BOX 174
RADERSBURG MT 59641

WOLNY CELIA C
STAR RT
BOULDER MT 59632

WOLNY TED J
STAR RT
BOULDER MT 59632

WORTMAN HARRIET L
STAR RT
BOULDER MT 59632

WORTMAN LEONARD O
STAR RT
BOULDER MT 59632

WORTMAN MARILYN R
BOX 738
BOULDER MT 59632

WORTMAN ORVILLE C
STAR RT
BOULDER MT 59632

YOST SANNA M
BOULDER MT 59632

1 TEMPORARY PRELIMINARY DECREE ON BOULDER RIVER
2 TRIBUTARY OF JEFFERSON RIVER

06/13/85

3 *****OWNER LIST*****

PAGE 27

4
5
6 YOLDEN CHARLES
7 PO BOX 1753
8 GRAND FORKS ND 58201
9

10 NUMBER OF OWNERS = 287
11
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DATA DOCUMENTS INC PCM 1

06/13/85 20/31

PRELIMINARY DECREE - NEW APPOINTERS TO BE NOTICED - BASTIN 411E

PAGE

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06/13/85 20/31

PRELIMINARY DECREE - NEW APPOWENERS TO BE NOTICED - BASIN 41E

PAGE

1	GOLD FIELDS MINING CORP	200 UNION BLVD SUITE 500	LAKESIDE	CO
2	GOLD FIELDS MINING CORP	200 UNION BLVD SUITE 500	LAKESIDE	CO
3	GROSSBERG	288 FAIRFAX AVE	HELENA	MT
4	GRUBBS	4728 N MONTANA AVE	HELENA	MT
5	GRUBBS	3301 SHERIDAN AVE	HELENA	MT
6	GUAY	BOX 256	BOULDER	MT
7	GUAY	BOX 256	BOULDER	MT
8	GUAY	BOX 256	BOULDER	MT
9	HANKS	2733 HARVARD	BOULDER	MT
10	HANKS	BOX 3028	BOULDER	MT
11	HARRINGTON	PO BOX 546	BOULDER	MT
12	HARRINGTON	PO BOX 546	BOULDER	MT
13	HARRIS	PO BOX 546	BOULDER	MT
14	HARRIS	PO BOX 546	BOULDER	MT
15	HEIDE	BOX 210	BOULDER	MT
16	JEANNE S MINE CO	BOX 210	BOULDER	MT
17	JEANNE S MINE CO	BOX 210	BOULDER	MT
18	JEANNE S MINE CO	BOX 210	BOULDER	MT
19	JEANNE S MINE CO	BOX 210	BOULDER	MT
20	JEANNE S MINE CO	BOX 210	BOULDER	MT
21	JEANNE S MINE CO	BOX 210	BOULDER	MT
22	JEANNE S MINE CO	BOX 210	BOULDER	MT
23	JEANNE S MINE CO	BOX 210	BOULDER	MT
24	JEANNE S MINE CO	BOX 210	BOULDER	MT
25	JEANNE S MINE CO	BOX 210	BOULDER	MT
26	JEANNE S MINE CO	BOX 210	BOULDER	MT
27	JEANNE S MINE CO	BOX 210	BOULDER	MT
28	JEANNE S MINE CO	BOX 210	BOULDER	MT
29	JEANNE S MINE CO	BOX 210	BOULDER	MT
30	JEANNE S MINE CO	BOX 210	BOULDER	MT
31	JEANNE S MINE CO	BOX 210	BOULDER	MT
32	JEANNE S MINE CO	BOX 210	BOULDER	MT
33	JEANNE S MINE CO	BOX 210	BOULDER	MT
34	JEANNE S MINE CO	BOX 210	BOULDER	MT
35	JEANNE S MINE CO	BOX 210	BOULDER	MT
36	JEANNE S MINE CO	BOX 210	BOULDER	MT
37	JEANNE S MINE CO	BOX 210	BOULDER	MT
38	JEANNE S MINE CO	BOX 210	BOULDER	MT
39	JEANNE S MINE CO	BOX 210	BOULDER	MT
40	JEANNE S MINE CO	BOX 210	BOULDER	MT
41	JEANNE S MINE CO	BOX 210	BOULDER	MT
42	JEANNE S MINE CO	BOX 210	BOULDER	MT
43	JEANNE S MINE CO	BOX 210	BOULDER	MT
44	JEANNE S MINE CO	BOX 210	BOULDER	MT
45	JEANNE S MINE CO	BOX 210	BOULDER	MT
46	JEANNE S MINE CO	BOX 210	BOULDER	MT
47	JEANNE S MINE CO	BOX 210	BOULDER	MT
48	JEANNE S MINE CO	BOX 210	BOULDER	MT
49	JEANNE S MINE CO	BOX 210	BOULDER	MT
50	JEANNE S MINE CO	BOX 210	BOULDER	MT
51	JEANNE S MINE CO	BOX 210	BOULDER	MT
52	JEANNE S MINE CO	BOX 210	BOULDER	MT
53	JEANNE S MINE CO	BOX 210	BOULDER	MT
54	JEANNE S MINE CO	BOX 210	BOULDER	MT
55	JEANNE S MINE CO	BOX 210	BOULDER	MT
56	JEANNE S MINE CO	BOX 210	BOULDER	MT
57	JEANNE S MINE CO	BOX 210	BOULDER	MT
58	JEANNE S MINE CO	BOX 210	BOULDER	MT
59	JEANNE S MINE CO	BOX 210	BOULDER	MT
60	JEANNE S MINE CO	BOX 210	BOULDER	MT
61	JEANNE S MINE CO	BOX 210	BOULDER	MT
62	JEANNE S MINE CO	BOX 210	BOULDER	MT
63	JEANNE S MINE CO	BOX 210	BOULDER	MT

06/13/85 20/31

PRELIMINARY DECREE - NEW APP OWNERS TO BE NOTICED - BASIN 41E

PAGE

1	MURPHY	EDWARD	J	STAR RT ELK PARK	BOX 568	BUTTE	MT
2	MURPHY	JUDY	A	BOX 326		BUTTE	MT
3	MURPHY	THOMAS	P	BOX 356		BUTTE	MT
4	NOONAN	LAWRENCE	P	BOX 690		BUTTE	MT
5	NORTH BOULDER DRAINAGE DIST	MARK	H	PO BOX 208		BUTTE	MT
6	OLSON	SUSAN	W	BOX 85 JAYBIRD RANCH		BUTTE	MT
7	PALLISTER	EMELIO		16 EAST GAGNON		BUTTE	MT
8	PALLISTER	TONY		ELK PARK SR		BUTTE	MT
9	PARINI	NANCY	J	PO BOX 41		BUTTE	MT
10	PARINI	JAMES		BOX 712		BUTTE	MT
11	PARINI	WILLIAM		PO BOX 435		BUTTE	MT
12	PARINI	HERBERT		20093 LAKE CHABOT RD		BUTTE	MT
13	PARINI	DIXIE		BOX 231		BUTTE	MT
14	PARINI	JAMES		BOX 6		BUTTE	MT
15	PARINI	DELOS		% THOMAS H BOONE, TRUSTEE	201 W MAIN ST SUITE 301	BUTTE	MT
16	PARINI	RICARDSON		PO BOX 735		BUTTE	MT
17	PARINI	ROBERTSON		RT 1 BOX 306A		BUTTE	MT
18	PARINI	ROBERTSON		PO BOX 3122		BUTTE	MT
19	PARINI	ROBERTSON		PO BOX 3122		BUTTE	MT
20	PARINI	ROBERTSON		2100 OREGON AVE		BUTTE	MT
21	PARINI	ROBERTSON		1825 GLADSTONE		BUTTE	MT
22	PARINI	ROBERTSON		BOX 614		BUTTE	MT
23	PARINI	ROBERTSON		BOX 609		BUTTE	MT
24	PARINI	ROBERTSON		ELK PARK STAR RT		BUTTE	MT
25	PARINI	ROBERTSON		BOX 49		BUTTE	MT
26	PARINI	ROBERTSON		STAR RT ELK PARK		BUTTE	MT
27	PARINI	ROBERTSON		BOX 364		BUTTE	MT
28	PARINI	ROBERTSON		BOX 364		BUTTE	MT
29	PARINI	ROBERTSON		5932 MCINTYRE ST		BUTTE	MT
30	PARINI	ROBERTSON		ELK PARK STAR RT		BUTTE	MT
31	PARINI	ROBERTSON		BOX 433		BUTTE	MT
32	PARINI	ROBERTSON		PO BOX 4225 - ELK PARK		BUTTE	MT
33	PARINI	ROBERTSON		PO BOX 24		BUTTE	MT
34	PARINI	ROBERTSON		STAR RT		BUTTE	MT
35	PARINI	ROBERTSON		STAR RT		BUTTE	MT
36	PARINI	ROBERTSON		STAR RT		BUTTE	MT
37	PARINI	ROBERTSON		STAR RT		BUTTE	MT
38	PARINI	ROBERTSON		STAR RT		BUTTE	MT
39	PARINI	ROBERTSON		STAR RT		BUTTE	MT
40	PARINI	ROBERTSON		STAR RT		BUTTE	MT
41	PARINI	ROBERTSON		STAR RT		BUTTE	MT
42	PARINI	ROBERTSON		STAR RT		BUTTE	MT
43	PARINI	ROBERTSON		STAR RT		BUTTE	MT
44	PARINI	ROBERTSON		STAR RT		BUTTE	MT
45	PARINI	ROBERTSON		STAR RT		BUTTE	MT
46	PARINI	ROBERTSON		STAR RT		BUTTE	MT
47	PARINI	ROBERTSON		STAR RT		BUTTE	MT
48	PARINI	ROBERTSON		STAR RT		BUTTE	MT
49	PARINI	ROBERTSON		STAR RT		BUTTE	MT
50	PARINI	ROBERTSON		STAR RT		BUTTE	MT
51	PARINI	ROBERTSON		STAR RT		BUTTE	MT
52	PARINI	ROBERTSON		STAR RT		BUTTE	MT
53	PARINI	ROBERTSON		STAR RT		BUTTE	MT
54	PARINI	ROBERTSON		STAR RT		BUTTE	MT
55	PARINI	ROBERTSON		STAR RT		BUTTE	MT
56	PARINI	ROBERTSON		STAR RT		BUTTE	MT
57	PARINI	ROBERTSON		STAR RT		BUTTE	MT
58	PARINI	ROBERTSON		STAR RT		BUTTE	MT
59	PARINI	ROBERTSON		STAR RT		BUTTE	MT
60	PARINI	ROBERTSON		STAR RT		BUTTE	MT
61	PARINI	ROBERTSON		STAR RT		BUTTE	MT
62	PARINI	ROBERTSON		STAR RT		BUTTE	MT
63	PARINI	ROBERTSON		STAR RT		BUTTE	MT

TOTAL NUMBER OF OWNERS = 168

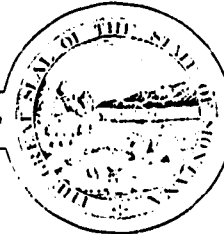
1	006/13/85	20/52	PRELIMINARY DECREE	TRANSFERRED TO ONE ROOM BEING NOTICED	BASSIN 41E	PAGE 1
2	BRENNER, EDITH	ESTATE OF	STAR RT	CARDWELL	MT	1
3	CAREY	MARTIN	STAR RT	BOULDER	MT	2
4	BRENNER, JOHN R	ESTATE OF	STAR RT	BOULDER	MT	3
5	DAWSON	GEORGE	STAR RT	BOULDER	MT	4
6	DAWSON	HARRIET	STAR RT	BOULDER	MT	5
7	FREE	WILLIAM	BOX 509	DEER LODGE	MT	6
8	FREE	RENI	RT 1 BOX 1426	WHITEHALL	MT	7
9	MONFORTON	EDWARD	DECEASED	SHRIMAN	MT	8
10	MURPHY	LAURENCE	BOX 0328	SHRIMAN	MT	9
11	SCHREDER	BEVERLY	1626 HOWARD AVE	SHRIMAN	MT	10
12	SCHURCH	KENNETH	1626 HOWARD AVE	SHRIMAN	MT	11
13	SCHURCH	KENNETH	WAYNE WHITEHORN	SHRIMAN	MT	12
14	WHITEHORN, PATRICIA	ESTATE OF	RR BOX 23	SHRIMAN	MT	13
15				SHRIMAN	MT	14
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63				SHRIMAN	MT	62

40T 4MCKEE MT 59411	GLENN	F	JAUNITA	J	BOX 555		3450
40T 4SMITH MT 59417	DALLAS	B	JESSIE		ST MARY RT		BROWNS
41A SERWIN CA 92672	ROBERT	J	CHARLOTTE		261 MARQUITA		SAN CLEMENTE
41A SMUNDAY CA 59739	JAMES	L	ELAINE		BOX 162		LIMA
41A SOREOGON MT 83204	SHORT LINE RAILROAD CO				BOX 790		POCATELLO
41A STOM LARSON MT 59725	AND ASSOCIATES				% TOM LARSON	7300	DILLON
41A SUNION PACIFIC UT 84110	RAILROAD CO				ATTN: DENNIS C FARLEY	BOX 2459	SALT LAKE CI
41B SREYNOLDS MT 59725	ED		BETTY		5825 HWY 91 S		DILLON
41C OPETERSON MT 59710	JOSEPH	R	DOROTHY		BOX 125		ALDER
41D SJONES CO 80011	RICHARD	G	MILDRED		526 TUCCSON		AURORA
41D OLASH MT 59701	EDWARD	A	ELIZABETH		2003 PORTER		BUTTE
41D SOREOGON MT 33204	SHORT LINE RAILROAD CO				BOX 790		POCATELLO
41D SUNION PACIFIC UT 84110	RAILROAD CO				ATTN: DENNIS C FARLEY	BOX 2459	SALT LAKE CI
41E SCOPPER MT 59632	BAITON JR	L			BOX C		BOULDER
41E SGILL MT 59632	WALON	G	KATHERINE		BOX 144		BOULDER
41E STOWN OF BOULDER MT 59632	WALTER	M	MILDRED		BOULDER TOWN HALL		BOULDER
41E SWARNER MT 59632		E			BOX 437		BOULDER
41F OBOSARGE CA 91730	CHARLES	J			1045 E ARROW HIGHWAY		UPLAND
41F SCAVANAUGH ID 59601					779 N SKYLINE DR		IDAH0 FALLS
41F OCYPRUS MINES CORP MT 59729	DONALD	E			BOX 516		ENNIS
41F OFOULGER UT 84125	EMERSON		THEDA		BOX 27517		SALT LAKE CI
41F OHALL CA 90069	IRIS	L			8816 MELROSE AVE		HOLLYWOOD
41F OMACNASH MT 59753	JAMES	C			BOX 312		WEST YELLOWS
41F OMORLEY CA 91730	MARTIN	E	HELEN		1045 E ARROW HIGHWAY		UPLAND
41F OPORTMAN MT 59753	CATTLE CO INC				DIAMOND P RANCH		WEST YELLOWS
41F OQUIVITA MT 59752	CYPRUS MINES CORP				RT 1 BOX 47-C		THREE FORKS
41F OUKSAN MT 59729	HEPPEPT	G			BOX 516		ENNIS
41F OWEELLINGTON MT 59729	CHARLES				BOX 278		ENNIS
41F OXENDERUTH NY 11703	GEORGE				223 ASHAROCKE AVE		NORTHPORT
41F OXENDEROTH NY 11703					223 ASHAROCKE AVE		NORTHPORT

BASIN 4/E

AMENDED CERTIFICATE
OF MAILING
Temporary
PRELIMINARY DECREE

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

HELENA, MONTANA 59620

(406) 444-6601 ADMINISTRATIVE
(406) 444-6602 ENGINEERING BUREAU
(406) 444-6603 WATER DEVELOPMENT BUREAU
(406) 444-6604 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

October 21, 1985

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59713

Dear Chris:

Enclosed is the amended certificate of mailing for the Notice of Entry of Temporary Preliminary Decree for the Boulder River, Tributary of the Jefferson River Basin (Basin 41E). This mailing was conducted from June 20, 1985 to October 21, 1985.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

BOULDER RIVER, TRIBUTARY OF THE JEFFERSON RIVER BASIN (Basin 41E)

AMENDED CERTIFICATE OF MAILING

Notice of Entry and Notice of Availability
of the Temporary Preliminary Decree for the Boulder River, Tributary of the
Jefferson River Basin (Basin 41E)

State of Montana)
County of Lewis and Clark) ss:

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that all return mail for the Notice of Entry and
Notice of Availability of the Temporary Preliminary Decree for the Boulder
River, Tributary of the Jefferson River Basin (Basin 41E) has been researched
by the water rights field offices and that based on their research the
following has been sent, postage prepaid, first class, United States Mail:

A. For persons filing claims;

1. owner address changes only. Based on research, all parties
have been sent the Notice of Entry and Notice of Availability of the Temporary
Preliminary Decree. When address changes were confirmed by the claimants to
the Department, abstracts showing dispositions of each party's filings have
also been sent;

2. transfered owners. Based on research, all apparent successors
in interest for water rights concerning return mail have been sent the Notice
of Entry and Notice of Availability of the Temporary Preliminary Decree and
Water Right Transfer Certificate forms.

B. For post July 1, 1973 water rights;

1. all parties in the Boulder River, Tributary of the Jefferson
River issued permits for water use in that Basin pursuant to 85-2-301, MCA,
1978, or their successor in interest;

2. all parties who have applied for permits for the use of water in the Boulder River, Tributary of the Jefferson River Basin pursuant to 85-2-301, MCA, 1978;

3. all parties who have been granted a reservation in the Boulder River, Tributary of the Jefferson River Basin pursuant to 85-2-316, MCA, 1978;

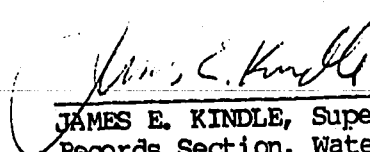
4. all parties in the Boulder River, Tributary of the Jefferson River Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; the following has been sent:

a. owner address changes only. Based on research, all parties have been sent the Notice of Entry and Notice of Availability of the Temporary Preliminary Decree;

b. transferred owners. Based on research, all apparent successor in interest for water rights concerning return mail have been sent the Notice of Entry and Notice of Availability of the Temporary Preliminary Decree and Water Right Transfer Certificate forms. This mailing and distribution was made under my direction and control from June 20, 1985 to October 21, 1985.

Original documents concerning return mail, envelopes, research, correspondence, field office confirmation and field office certification of mailing can be found in original files and microfilm files.

Dated this 21st day of OCTOBER, 1985.


JAMES E. KINDY, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

attachment

Log of noticed water right owners in the basin

State of Montana)
 : ss.
County of Lewis & Clark)

On this 21st day of October 1988, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Jan P. Gilman

Notary Public for the State of Montana
Residing at Helena
My commission expires

06/13/85 20/34

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 41E

1	ABELIN-VANDUSEN	DENIECE	M	669 WHEELER VILLAGE
2	ALLEN	HARVEY	D	BOX 467
3	ANDERSON	MARY	K	BOX 45
4	ANDERSON	ROBERT	L	BOX 45
5	ASPEN LAND & LIVESTOCK CO LTD			PO BOX 7252
6	ATLANTIC RICHFIELD CO	ALVIN		% EUGENE C TIDBALL
7	AXT	HARRY	A	BOX 227
8	BAKER, JR	LOUIS	A	BOX 652
9	BARTOLLETTI	LEROY		BOX 652
10	BASIN COUNTY WATER & SEWER DISTRICT	FRANK		1818 GOLDEN
11	BELLING	LEROY	P	
12	BENICH	FRANK		
13	BERG, EVERETT E DBA FALCON EXPLORATIONS			10 SPRUCE ST
14	BOONE	THOMAS HORSE RANCH	H	BOX 568
15	BOULDER RIVER QUARTER HORSE RANCH			814 WAUKESHA
16	BOULDER VALLEY CATTLE CO			1900 POWELL ST SUITE 930
17	BOULDER, TOWN OF	BETTY	A	SUITE 301 CENTRAL SQUARE
18	BOWSER	LOIS		BOX 13
19	BRACCO	LOIS		RT 5 N MAIN
20	BRAND S LUMBER CORP	LOIS		304 N MAIN
21	BREMER, OTTO FOUNDATION	LOIS		35 D ST
22	BROOKS	LOIS		3040 NETTIE ST
23	BROTHERS	LOIS		PO BOX 1033
24	BROWN	LOIS		% OPPENHEIMER, WOLFF, FOSTER
25	BROWN	LOIS		BOX 295
26	BULLOCK	LOIS		106 HILLSIDE
27	BURCH	LOIS		2716 W SAHARA
28	BURGESS	LOIS		BOX 3443
29	BURK RANCHES INC	LOIS		BOX 3443
30	BURLINGTON NORTH	LOIS		BOX 3154
31	BURT	LOIS		BOX 3154
32	CANDLESTICK RANCH CO	LOIS		345 ASH DR
33	CAREY	LOIS		345 ASH DR
34	CAREY	LOIS		BOX 95
35	CAREY	LOIS		PO BOX 579
36	CAREY	LOIS		3008 IRENE
37	CAREY	LOIS		
38	CAREY	LOIS		STAR ROUTE
39	CAREY	LOIS		STAR RT
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CERISE	HENRY	M	With
CERISE	VIOLA	H	H
CHADWICK	DOUGLAS	A	A
CHADWICK	THOMAS	M	M
CIABATTARI	ETALLO	K	K
CLARK	GERARD	M	M
COLEMAN	SHEILA	S	S
CONNOLLE	VIOLA	L	L
COOPER	JAMES	S	S
COOPER, JR	BARTON	L	L
CORETTE	DEBORAH	W	W
CORETTE	WILLIAM	P	P
CORETTE	WILLIAM	B	B
CORETTE	WILLIAM	B	B
CRENSHAW	W		
CRENSHAW, JR	W		
CRYSTAL, NORTHWEST	MINES INC		
CUMBERLAND	KENNETH	P	P
CUNNINGHAM	JERROLD	B	B
DANIELS	JOHN	G	G
DAVIDSON	KAREN	E	E
DAVIDSON	ANNE		
DAVIDSON	DAVE		
DAVIDSON	GEORGE	D	D
DAVIDSON	JOHN	W	W
DAVIDSON	RAE CILLE	W	W
DAVIDSON	THOMAS	L	L
DAVIDSON	WILLIAM		
DAMSON, GEORGE	RANCH CO		
DAMSON, GEORGE	ALMA	M	M
DEMERS	HAROLD	R	R
DEMERS	RICHARD	M	M
DODGE	CHARLOTTE	M	M
DUNKS	WILLIAM	L	L
DUNKS	BERNICE	R	R
DUTTON	WALTER	A	A
EARTHWORKS INC	INC		
ED MURPHY RANCHES	LILLIAN	M	M
EDEN DAY	LOUIS	J	J
ELKHORN MINING CO	RUDY		
ENDRESSE	ALEXIS		
ENGDAHL	CHARLES	E	E
FADNESS	MYLO	D	D
FADNESS	RUTH	M	M
FAEGRE	SHIRLEY	F	F
FALCON EXPLORATION	CO	S	S
FELSHHEIM	JESSIE	K	K
FELSHHEIM	DIANE		
FORAN	LAWRENCE		
FORAN	DELORES		
FORCELLA	FRED		
FORCELLA	BEVERLY	A	A
FORD			

ELK PARK STAR RT
ELK PARK STAR RT
WHISPERING PINES RD
9228 1/2 COLORADO ST
211 LITTLE BASIN CREEK
BOX 445
BOX 152
PO BOX C
35 EASTFIELD DR
ELKHORN RT
BOX 285
BOX 285
204 ARNOLD ST
8425 DUNWOODY PL
2131 WALL ST
PO BOX 451
MILTON DATSPOULOS
STAR RT
RURAL ROUTE
STAR RT
RR
RR
STAR RT
STAR RT
PO BOX 63
STAR RT

BOX 413
BOX 413
BOX 525
2413 KOSSUTH
2413 KOSSUTH
RT 1 BOX 2744
RT 1 BOX 2744
PO BOX 7911
BOX 7
80 S CAMANO RIDGE RD
BOX 629
PO BOX 67
814 WAUKESHA
PO BOX 623
PO BOX 623
STAR RT
STAR RT
18320 BREEZY POINT RD
BOX 741
BOX 8

PO BOX 276
PO BOX 276

411 S WASHINGTON
411 S WASHINGTON

RT 2 BOX 2342
RT 2 BOX 2342

201 W MAIN

142 Grand Ave Bgo 5701 C

190 Powell St Ste 4260 of
Emeryville, CA 94608

BUTTE
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 EVARO
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 WAYZATA
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 CARDWELL
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 CARDWELL
 WHITEHALL
 WHITEHALL
 BOULDER

[illegible]

FORD	CHARLES	ANG
FOX	HELEN	G
FRANCHI	LYLE	T
FRANCONE	JAMES	
FRANCONE	ESTHER	
FRANCONE	WILLIAM	
FULLER	LIBBY	J
FULLER	RONALD	D
GANNON	KATHY	A
GANNON	LAWRENCE	
GANNON	LUCILLE	
GANNON	TOM	
GEORGE	DONALD	A
GILL	KATHERINE	M
GILL	WHALON	G
GILMER	JEAN	C
GILMER	MILTON	C
GIULIO	DENNIS	C
GIULIO	GORDON	H
GIULIO	HAROLD	E
GIULIO	LILLIAN	J
GIULIO, JR	JOHN	
GIVILIO	DENNIS	
GNEITING	PAUL	
GOLD FIELDS MINING	CORP	
GOLD FIELDS MINING	CORP	
GOODWIN, JR	CHARLES	
GREANY	MARY REGINA	
GREANY	RICHARD	
GROSSBERG	LOTTIE	
GRUBBS	RON	
GRUND (PRES)	ANNE	
GUAY	OVIDE	
GIULIO	HAROLD	
GIULIO	HELEN	
HALL	JAMES	
HALLER	JOHN	
HANKS	AGNES	
HANLEY	HAROLD	
HANLEY	DONALD	
HARRINGTON	JOAN	
HARRINGTON	DANIEL	
HARRINGTON	DANIEL	
HARRINGTON	GERALD	
HARRINGTON	MARIE	
HARRIS	MARIE	
HARRIS	ALICE	
HARRIS	WILLIAM	
HEIDE	DORA	
HEIDE	JOHN	
HELENA	SILVER MINES	
HENNINGSEN	ANKER	
HENSLER	ILA	
HENSLER	WILBUR	
HUCKABA	SUSANNE	
HUCKABA, L R	CONST INC	
INVESTMENTS TRUST	INC	

NAME VARIATION CHECK ON NEW APP 8 SB76 OWNERS - BASIN 41E

211 SOUTH MONROE
STAR RT ELK PARK
STAR RT ELK PARK
STAR RT ELK PARK
PO BOX
BOX B
BOX 418
RR 4285
BOX 418
346 E GALENA ST
PO BOX 14
BOX 144
BOX 225
BOX 225
BOX 513
BOX 200
BOX 253
BOX 406
BOX 406
BOX 516
BOX 515
BOX 45
200 UNION BLVD SUITE 500
200 UNION BLVD SUITE 500
BOX 374 106 HOLLOW
3222 BURNETT HOLLOW
3222 FAIRLANE AVE
47228 MONTANA AVE
3301 3AS IN MIRACLE MINES INC
3301 SHERIDAN AVE E/K Ark Sta- RT 10 SPRUCE ST BOX 3444
BOX 256
2801 SHERMAN
1716 PLATINUM
2733 HARVARD
2733 HARVARD
3037 DELUNA DR
3037 DELUNA DR
3028
843 W BROADWAY
3028 COPPER ST
PO BOX 546
PO BOX 546
PO BOX 210
BOX 210
202 JOHNSTON BLDG
PO BOX 1255
505 S ROBERTS
505 S ROBERTS
BOX 6
18600 W BLUEMOUND

11; N 2ND ST

PM

3

BOULDER	MI
BUTTE	MI
BOULDER	MI
BUTTE	MI
BUTTE	MI
BOULDER	MI
BOULDER	MI
GREAT FALLS	MI
BOULDER	MI
BUTTE	MI
BOULDER	MI
BOULDER	MI
BOULDER	MI
BOULDER	MI
BOULDER	MI
BOULDER	MI
MELROSE	MI
LAKEMOOD	CO
LAKEMOOD	CO
BASIN	MT
DEER LODGE	MT
DEER LODGE	MT
TONMANDA	MT
HELENA	MT
BASIN	MT
BUTTE	MT
BOULDER	MT
BOULDER	MT
BUTTE	MT
BUTTE	MT
BUTTE	MT
RANCHO PALOS VERDES	CA
RANCHO PALOS VERDES	CA
BUTTE	MT
BUTTE	MT
BUTTE	MT
BUTTE	MT
BUTTE	MT
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COEUR D'ALENE	ID
PEBBLE BEACH	CA
HELENA	MT
HELENA	MT
CARDWELL	MT
CARDWELL	MT
BROOKFIELD	WI

06/13/85 20/34

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 41E

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RAMSAY
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SHERIDAN
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CLANCY
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4

06/13/85 20/34

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 41E

PAGE:

NAME	ADDRESS	CITY	STATE	ZIP
LORENZ	PHYLlys			
LOVELY	MITCHELL			
LOWMEY	JOHN			
LYNN	ROBERT			
LYNN	JOANN			
LYONS	JOHN			
LYONS	WILLARD			
MACK	MARY			
MAGUIRE	GUY			
MAYCUMBER	EDWARD			
MCCAULEY	EMMETT			
MCCAULEY	MARGY			
MCCAULEY	TOM			
MCDONNELL	ROBERT			
MCDOWELL	BUDDY			
MCWEN	DAN			
MCWEN	DIANA			
MILLER	ARLENE			
MILLER	LESTER			
MILLER	ANN			
MILDRAGOVICH	J			
MITCHELL	MARY			
MOLITOR	BETTY JO			
MONFORTON	REMI			
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MONTANA	STATE OF			
MONTANA	STATE OF			
MONTANA	STATE OF			
MORRISON	DONALD			
MULLER	GERALD E			
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MURPHY	DOROTHY			
MURPHY	DOROTHY			
MURPHY	ED			
MURPHY	EDWARD			
MURPHY	JUDY			
MURPHY	THOMAS			
MURPHY	ED RANCHES			
MURRAY	LULU			
MURRAY	WILLIAM			
MURRAY, JR	GEORGE			
NEUBERG	LAURENCE			
NEZ PERCE LAKE	TROUT CO			
NORTH BOULDER	DRAINAGE DIST			
NYQUIST	DORIS			
NYQUIST	NILS			
OCCONOR	BARBARA			
OCCONOR	JAMES			
OCCONOR	MARK			
OLSON	STEVE			
OLSON	SUSAN			
OLSON	EDITH			
OVERHOLT				
PACIFIC SILICA CO	BLANCHE			
PALLISTER	PHILIP			
PALLISTER	EMELIO			
PARINI				

BOX 471
 1365 MILL RD
 217 LASALLE RD
 690 S HILLTOP RD
 1225 CALEDONIA ST
 1255 CALEDONIA ST
 364 HART ALBIN BLDG
 BOX 380
 217 LASALLE RD
 BOX 25
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 MCCAULEY RANCHES
 301 W GRANITE
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 914 CALIFORNIA
 STAR RT ELK PARK
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 2701 OF PROSPECT AVE
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 28127 Edgewater Dr, Eugene, OR

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6

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399

CARDWELL CREEK
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